



PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: September 21, 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 from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/603882645>

Dial in by phone

(408) 650-3123; Access Code: 603-882-645

CALL TO ORDER/OPENING

1. SCHEDULED ITEMS

- a. 6:00pm - Discussion/Vote – Future Fire Department Management Options - Potential Adoption of MGL Chapter 48, Sections 42 or 42A; or Retaining Board of Fire Engineers
- b. 6:15pm – School Special Town Meeting Update

2. RESIGNATIONS & APPOINTMENTS

- a. Appointment – Zoning Board of Appeals – Kurt Parliament
- b. Appointment – Health Agent
- c. Appointment – Principal Assessor – Sanders Genna

3. OTHER BUSINESS

- a. Contract – Principal Assessor – Sanders Genna
- b. Discussion/Vote – Fall Town Meeting Warrant Articles
- c. Discussion/Vote – Trick or Treating Date, Hours and Safety Protocols

4. MINUTES

- a. August 17, 2020
- b. August 24, 2020
- c. August 31, 2020

ADJOURN

Proposed Executive Session Motion

Board Member 1

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

Exception #2 To conduct strategy sessions in preparation for negotiations
with nonunion personnel (Principal Assessor)

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



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

September 14, 2020

To: Select Board
From: David Genereux, Town Administrator
RE: Fire Department Discussion

I have been asked by a Board member to assemble options for potential management changes at the Leicester Fire Department to be considered by the Board. The Fire Department is currently governed by the Board of Fire Engineers, via what appears to have been an action taken by the Board of Selectmen in 1956/57. They currently run all aspects of the Fire Department, while working within the funding and capital planning structure of the Town.

With the impending retirement of the Chief, there are options that are available for consideration, including leaving the structure unchanged. The Massachusetts General Laws governing the Board of Fire Engineers, “Strong” Chief and “Weak” Chief forms of fire department management structures are listed below:

Board of Fire Engineers (Present management structure)

Chapter 48, Section 45. The selectmen, except as provided in the three preceding sections, may establish a fire department, and thereafter shall annually, in April, appoint a suitable number of engineers, not exceeding twelve, for one year from the following May first, and until others are appointed in their stead; may, for cause, remove an engineer, after seven days' notice to him and a hearing, and shall fill all vacancies.

Section 46. They shall, immediately after such appointment, notify each of said engineers to meet at a time and place designated. At such meeting the engineers shall choose a chief engineer, a clerk and other necessary officers.

Section 47. The engineers, in the extinguishment of fires, shall exercise the powers of fire wards and, in the nomination and appointment of such firefighters as necessary therefor, shall exercise the powers and perform the duties of selectmen. They may appoint such men to the engines, hose and hook and ladder carriages, and constitute such companies for securing property endangered by fire, as they deem expedient.

Summary: The engineers are appointed by the Select Board, but function as an autonomous group, or as the statute says “perform the duties of selectmen” in running the Fire Department, including the appointment of the Fire Chief and employees and the management of Fire Department property.

“Strong” Chief

Chapter 48, Section 42. Towns accepting the provisions of this section and sections forty-three and forty-four, or which have accepted corresponding provisions of earlier laws may establish a fire department to be under the control of an officer to be known as the chief of the fire department. The chief shall be appointed by the selectmen and shall receive such salary as the selectmen may from

time to time determine, not exceeding in the aggregate the amount annually appropriated therefor. He may be removed for cause by the selectmen at any time after a hearing. He shall have charge of extinguishing fires in the town and the protection of life and property in case of fire. He shall purchase subject to the approval of the selectmen and keep in repair all property and apparatus used for and by the fire department. He shall have and exercise all the powers and discharge all the duties conferred or imposed by statute upon engineers in towns except as herein provided, and shall appoint a deputy chief and such officers and firemen as he may think necessary, and may remove the same at any time for cause and after a hearing. He shall have full and absolute authority in the administration of the department, shall make all rules and regulations for its operation, shall report to the selectmen from time to time as they may require, and shall annually report to the town the condition of the department with his recommendations thereon; he shall fix the compensation of the permanent and call members of the fire department subject to the approval of the selectmen. In the expenditure of money the chief shall be subject to such further limitations as the town may from time to time prescribe.

Summary: Appointed by the Select Board; can only be removed “for cause” after a hearing; has the ability to “exercise all the powers and discharge all the duties conferred or imposed by statute upon engineers...” responsible for caretaking of equipment, and hiring all employees, setting wages, making rules and regulations for department operations.

“Weak” Chief

Chapter 48, Section 42A. In towns which accept this section or have accepted corresponding provisions of earlier laws there shall be a fire department established under the direction of the selectmen, who shall appoint a chief of the fire department and such other officers and firemen as they deem necessary, and fix their compensation in an amount not in the aggregate exceeding the annual appropriation therefor. The selectmen may make suitable regulations governing the fire department and the officers and firemen thereof, and in towns which are not subject to chapter thirty-one may remove the chief and other officers and firemen at pleasure. The chief of the fire department shall be in immediate control of all town property used by the department, and of the officers and firemen, who shall obey his orders.

Summary: Appointed by the Select Board; Chief, officers, and fire personnel serve at the pleasure of the Select Board; Responsible for caretaking of equipment. Select Board responsible for hiring all employees, setting wages, making rules and regulations for department operations. This option places fire operations as a typical Town department.

If the Board wishes to migrate to either of the strong or weak chief options, a warrant article must be prepared and placed before the voters at Town Meeting. Upon acceptance, the Board of Fire Engineers would be abolished, with their duties and oversight being transferred to the Select Board. The Chief currently oversees Fire and EMS operations, but is appointed by two separate Boards, that being the Engineers for Fire and the Select Board for EMS. Approval of either article would place the appointments of Fire Chief and EMS Director under the purview of the Select Board.

Again, if the Board wishes to move forward, I also would recommend that a consultant be retained to examine operations and make recommendations regarding staffing needs, management roles, and facilities going forward. This could be done with the existing management structure in place, or after action has been taken to install one of the options detailed in Section 42 or 42A. It’s often challenging to replace a long-term management employee, but it is more complicated if there is a serious discussion regarding changing the management structure of the department.

Please contact me with any questions.



Town of Leicester
OFFICE OF THE TOWN ADMINISTRATOR

Town Hall, 3 Washburn Square
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September 17, 2020

To: Select Board
From: David Genereux, Town Administrator
RE: School Special Town Meeting Update

This memorandum serves to provide an update on the safety, equipment, transportation and other logistics underway in preparation for the School Special Town Meeting on September 26th at 10am at the former Millbrook Distributors Building (88 Huntoon Memorial Highway).

Costs

There is no rent being paid for the use of 88 Huntoon Memorial Highway. The owners of the building have graciously given the Town the ability to use the building at no charge.

That said, this is an expensive meeting. The number of expected residents, coupled with the demands of offering a safe space considering Covid-19, and the technology requirements for a meeting of this size are driving the costs. Below is an estimate of those costs, which we have confirmed are eligible for reimbursement under the CARES act.

Vendor	Service	Cost
Immedia	Sound, microphones, multiple video screens, event recording	\$16,500
Immedia	Tables, 800 chairs set up and removed	\$2,080
LAZ Parking	Onsite parking services	\$5,365
Meridia	Rental of additional voting devices; use of company personnel to run the voting system for the warrant article	\$8,330
Slims and Berthiaum	Porta Potty rental	\$950
Design Temperature Control Inc	Air filter installation on Millbrook air handler	\$980
Total		\$34,208

Meeting Setup and Design

The Town has secured the front portion of the old Millbrook Distributors building as the location for the September 26, 2020 meeting. In order to maximize the ability of the public to attend the meeting and vote on the project, the following measures have been taken:

Safety Measures

- There is a seating plan for nearly 800 people on the main floor of the building with chairs spaced out for proper social distancing.
- Approximately 50 other seats will be located on an upper deck area for those who are concerned about being on the main floor area during the meeting. Sign-in however, is still at the main entrance. Seating will be allocated on the upper deck area will be on a first come, first served basis.
- The garage doors at the east end of the building will be open to allow for fresh air to enter, supplemented by two large fans in the corner open bay doors at the building's east end.
- The floor will be cleaned by the highway street sweeper using an antiseptic solution.
- There will be multiple cleanings of the area with antiseptic spray.
- The building's large air handler will be running, with filter media wrapped around the base of the unit to clean the air going through the intake.
- Masks, disinfectant spray, gloves and wipes will be available for the public.
- Microphones will be cleaned by volunteers in between speakers.
- The space itself, as well as the practices listed, have been approved by the Town's health agent from the Regional Public Health Alliance.

Equipment

- The Town will be contracting with event and media company Immedia to ensure Town Meeting runs smoothly.
- There will be multiple screens in place so voters can see the Town Meeting warrant, presentations, and the vote tally onscreen.
- Meridia, the company from which we bought the voting devices, will be sending two representatives to run the voting and ensure that there are no technical issues. We also do not want any Town employees operating the system for this vote.
- There will be 1,200 electronic voting devices on hand.
- There will be no live streaming of the meeting, as Charter is not willing to invest the time and expense to bring internet access to the site for a single event.
- The typical Town Meeting setup will be used in a larger venue with multiple microphones for speakers. We anticipate that there will be seven microphones for use by the public; six on the main floor and one on the mezzanine.

Other

- Police officers will be onsite to ensure there are no issues with parking.
- There will be a designated drop off area for voters with mobility issues.
- There will be 2 golf carts, driven by parking employees, picking up people walking the lot and ferrying them to the main entrance of the building.
- The Police Department is working with nearby property owners to expand parking options.
- Portable toilets, including ADA accessible toilets, will be available on site.

Public Transportation

Due to the location and limited parking, the Town and the WRTA have arranged to provide bus and van service at no charge to residents wishing to attend. Routes are as follows:

East/West Bus Route:

Pickup Times: 8:30AM; 9:00AM; & 9:30 AM

The bus will begin at the former Elfskin mill on the McCarthy Ave/Rt. 9 intersection and proceed west on Rt.9 to Leicester center, turn right onto Paxton St. and stop in front of the town hall. It will then proceed to Pleasant St south and to the meeting site at 88 Huntoon Memorial Highway (Rt 56).

West/East Bus Route:

Pickup Times: 8:30AM; 9:00AM; & 9:30 AM

Starting from Walmart parking lot, the Bus will proceed east on Rt. 9, turn right onto Route 56 and wait briefly in front of Leicester Housing Authority on Pleasant St., then proceed to the meeting site at 88 Huntoon Memorial Highway (Rt. 56).

Senior Center Van

Pickup Starting at 8:30 AM

The Van will make continuous loops from the Senior Center to the meeting site at 88 Huntoon Memorial Highway and back to the Senior Center.

Special Notes for Riders

- Anyone along the above designated Bus routes may simply waive the Bus down for a ride to the meeting.
- The Van will only load and unload passengers at the Senior Center and Meeting sites.
- Masks are Required to be worn in all WRTA vehicles.
- Social Distancing is required for anyone not living in the same household. (Seats are marked accordingly).
- All of the above Routes will be repeated in reverse order after the meeting until all passengers have been given the opportunity to return to their starting point.

For information on the WRTA COVID cleaning process for buses, visit:

<https://player.vimeo.com/video/442744694>

Summary of Key Meeting Rules

- Town Meetings in Leicester are open only to registered voters
- As with any Town Meeting, campaign materials such as buttons, banners, signs, printed clothing and the like, which are intended to influence or intimidate the votes of Town Meeting members are prohibited.
- 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.
- 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
- 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 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

Please contact me with any questions.



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 Kurt Parliment HOME TEL. _____

ADDRESS: _____ WORK TEL. _____

Leicester

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 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 checked="" 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: _____

Will provide if needed _____

(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): Helping with the polls

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.

I am presently involved in several committees and also recycling

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

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 type="checkbox"/> Communications | <input 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 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
Arts Council	present	Leicester
Moose Hill	present	Leicester
Harvest Fair	present	Leicester
 <small>eSigned via SeamlessDocs.com Key: cb5a1d93b8d05a9db6e2b633b7e2d8ca</small>		08/29/2020
Signature of Applicant		Date

Thank you for your interest in serving the Town of Leicester

Human Resources
Town of Leicester

To Whom It May Concern,

Please accept my resume in application for the position of Principal Assessor. As noted in the resume I have nearly 10 years' experience in assessing with eight of it as an assessor. I currently maintain my MAA designation and also possess just over eighteen years' experience as a former MA Certified Residential Appraiser.

Through my assessing experience I've become well versed in using Vision, Patriot and PK Cama systems as well as Vadar and Softright billing systems. I am quite familiar with utilizing Gateway and have some experience in determining annual Interim Adjustments. I continually utilize and improve my Excel skills for tracking data and for computational reasons. As an Assessor I work to establish good working relationships with all departments and vendors. I believe an office always needs to evolve and have worked closely with vendors such as Vision, RRC and CAI to bring in better and more cost-effective software and services. I am currently seeking a position that will allow me to utilize my acquired skills and knowledge while providing me with new challenges.

Thank you for your time,

Sanders (Sandy) J. Genna

Sanders (Sandy) J. Genna

8/18 – Present Town Assessor – Town of Boxborough

Report directly to the Town Manager and currently a Board of One. Responsible to perform all aspects of the daily operation of the office as well as the valuation of all real property. Ensure that all state regulations are adhered to meet all deadlines set by such regulations. Perform the yearly Interim update of values as well as overseeing the RECAP certification of value, the setting of a new tax rate and presenting the Classification Hearing. I provide information/assistance to all Town departments and citizens as needed. Also, responsible for assigning parcel assessor's parcel numbers, street addresses, field inspections and budget control.

8/14 – 8/18 Town Appraiser/Assessor – Town of Wrentham

Reported directly to the Town Administrator and Board of Assessors. Responsible for the daily operation of the office as well as the valuation of all real property. Ensured that all state regulations are adhered to while all deadlines set by such regulations. Oversee the yearly RECAP process, certification of value, setting of new tax rate and attending the classification meeting. Also provided information/assistance to other Town departments and citizens. Responsible for assigning parcel street addresses, field inspections, staff training and budget control. Brought in CAI GIS system and initiated the conversion from the PK Cama system to the VISION Cama system.

3/12 – 8/14 Assistant Assessor – Town of Millbury

Worked directly under the Finance Director as well as the Board of Assessors. Over saw the daily operations of the office as well as the the valuation of all Real and Personal Property. Responsible for adhering to all stat regulations and the meeting of all state mandated deadlines.

Prepared and over saw the annual RECAP, setting of tax rate as well the annual classification hearing. Other duties included field inspections, training of staff, assisting other departments and the correcting office practices. I received my MAA designation in June of 2013. Was a member of the Worcester County Assessors Association Executive Board and Education Committee.

1997 - 3/12

Sole Proprietor – S.G. Appraisals and Data Collection Services

Massachusetts Certified Real Estate Appraiser #4285

Oversaw the daily operations and growth of the business. Provided training and supervision to a staff of five appraisers in the appropriate manner of inspecting properties, gathering data and the preparation of reports in accordance with all Fannie Mae, USPAP and HUD standards. Maintained client/customer relations, updating clients on market trends and assisted in the training of new loan officers and processors. 2011 to 2012 performed contracted data collection for the Town of Sturbridge.

9/07 - 4/09

Assistant Assessor – City of Worcester, Ma.

Responsible for the inspection of residential and mixed use properties, the recording of accurate data as well as the updating of earlier data. Other duties included establishing new property values, the processing of abatement applications and preparation of materials for use at Tax Appellate Board hearings.

4/04 - 9/07

Assessor (PT) – Town of Northborough

2004 – 3/12

Fee Appraiser (PT) – Horne and Hastings Appraisers

6/10 – 2/11

Data Collector (PT) – Vision Appraisal

1982 – Present

Instructor/Clinician/Hill Captain – Wachusett Mountain Ski School

2002 – 2006

Head Coach – Saint John’s High School Ski Team (2006 State Champions)

1997 - 1992

Previous employment was primarily management positions within the field of Social Services. All work was with private vendors providing services to the Department of Social Service, Department of Mental Health and the Department of Youth Services.

Education:

BS Elementary Education – Minor in Psychology
Geneseo State College, Geneseo, NY



Town of Leicester, Massachusetts

Annual Town Meeting Warrant

Fall Town Meeting – November 17, 2020 – 7:00PM

“In the Hands of the Voters”

Meeting location:
High School Hall Gymnasium
174 Paxton Street
Leicester, MA 01524

Published September 21, 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 particular 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

Town of Leicester
Fall Town Meeting – November 17, 2020

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 High School Gymnasium, 174 Paxton Street, Leicester, MA on Tuesday, the seventeenth day of November, 2020 at 7:00 PM, then and there to act on the following articles, namely:

ARTICLE PRIOR YEAR BILLS

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies in order to pay bills from prior fiscal years or take any action thereon.

PROPOSED MOTION

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

This article is required for the payment of bills prior to July 1, 2020 that were not submitted on time or were carried over by a department.

VOTE REQUIRED FOR PASSAGE Requires a 9/10ths vote pursuant to MGL Chapter 44, §64

ARTICLE ADJUST FY 2021 OPERATING BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2020, as voted at the June 2, 2020 Annual Town Meeting Warrant or take any action thereon.

ACTION #1 - RAISE AND APPROPRIATE

PROPOSED MOTION

Move that the Town raise and appropriate \$_____ to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2020, as listed in the June 2, 2020 Annual Town Meeting Warrant and as amended below:

Sources	Reason	Amount
Raise and Appropriate	Increased overall receipts	\$
Total		\$

Town of Leicester
Annual Town Meeting – May 7, 2019

Department	Reason	Amount
	.	
Total		

DESCRIPTION

See descriptions in the above table for individual line item explanations. Generally speaking, this article adjusts the FY21 budget after all final revenues are received and accounted for. The revenues which make up the annual budget come from four categories: new growth, state aid, local receipts, and excess levy capacity. These revenues are not finalized until July or August of each year. However, the budget is assembled in February using conservative forecasted revenue assumptions. When final revenue numbers come in, funds are either apportioned to or removed from departments at the following town meeting, which typically occurs every fall.

Towns that are up against the levy limit like Leicester are often unable to fully fund all department budget needs at the Spring Town Meeting and must make adjustments at the Fall Special Town Meeting. The Town assembles a conservative balanced budget in the spring and adds additional funds in the fall once final revenue numbers are in.

The revenue changes in this article come from the following sources:

Revenue	ATM Projected	STM Final	Change in Revenue
New Growth (Taxation)			
State Aid			
Local Receipts			
Excess Levy Capacity			
Total			

This change will _____ the FY21 budget by ____.

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

ACTION #2 - TRANSFER FROM AVAILABLE FUNDS

PROPOSED MOTION

DESCRIPTION

This transfer is requested to fix an error that occurred in setting up the FY 2021 budget.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0) Line item transfer. No new money required. Recommend approval.

SELECT BOARD RECOMMENDATION

Favorable Action (5-0-0)

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

ARTICLE POLICE CRUISER

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase and equip 1 police vehicle or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$0.00 from Free Cash to purchase and equip one (1) police vehicle.

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

The Police Department utilizes a fleet of ten (10) vehicles to meet the law enforcement needs of the residents of Leicester. This fleet of vehicles includes five (5) frontline marked police cruisers that are used on a daily basis. Funding is being requested to replace the oldest marked frontline cruiser which will have over 100,000 miles when replaced. The Town has been following a fleet replacement schedule that includes the replacement of one to two cruisers annually to ensure the full use and reliability of the fleet.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote, unless funding is sought from the General Stabilization Fund. Transfers from the General Stabilization fund requires a 9/10th's vote per Town bylaw.

ARTICLE FY 2021 CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Capital Improvement Plan budget beginning July 1, 2021, or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$_____ from Free Cash to fund the Fiscal Year 2021 Capital Improvement Plan budget.

DEPARTMENT	ITEM	AMOUNT
Fire	Aerialscope Tower Truck Lease/Purchase Payment – Year 5 of 5	\$115,081
	Total FY 2021 Capital Lease Payments	

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

This article seeks funding from Free Cash to fund the final year of a lease/purchase agreement

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

ARTICLE AERIAL TOWER FIRE TRUCK REPAIRS

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to repair the Aerial Tower Fire Truck or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$0.00 from Free Cash to pay for repairs to the waterway of the Aerial Tower Fire Truck.

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

The waterway for the Aerial Tower Fire Truck needs to be replaced.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

ARTICLE FUNDING THE CABLE PEG ACCESS BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the cable access budget under the direction of the Leicester Cable Access Corporation (LCAC) or take any action thereon.

PROPOSED MOTION

Move that the Town vote to appropriate from cable access retained earnings the sum of \$_____ to fund the FY 2021 Cable Access budget, under the direction of the Leicester Cable Access Corporation (LCAC).

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

ARTICLE FUNDING THE FY 2022 VALUATION UPDATE AND CERTIFICATION

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the FY 2022 valuation update and certification or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$0.00 from _____ to pay fund the FY 2022 valuation update for per the Board of Assessors.

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

ARTICLE TRANSFER OF FREE CASH TO THE TRANSPORTATION INFRASTRUCTURE FUND

To see if the Town will vote to appropriate the amount of \$1,632.40 from Free Cash to the Transportation Infrastructure Fund or take any action thereon.

PROPOSED MOTION

Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

The Town received \$1,632.40 from the Department of Public Utilities on June 12, 2018 under the Transportation Network Surcharge program. These funds are required to be placed in a regional transportation receipts reserved for appropriation account. We closed the receipt out to Free Cash before receiving information as to how the receipts were supposed to be treated. This transfer brings us in line with state requirements.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

ARTICLE WARREN AVENUE EASEMENT

This is a placeholder for a potential easement through one of the properties to allow for the retention pond repair at the Fire Station to move forward. No decision has been made on this project as of yet.

PROPOSED MOTION

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

VOTE REQUIRED FOR PASSAGE Requires a 2/3rd majority vote

ARTICLE RESCIND HIGH SCHOOL ROOF BORROWING

To see if the Town will vote to rescind an excess borrowing authorization, in the amount of \$519,567.74, as approved through Article 5 of the October 2015 Special Town Meeting relative to the High School Roof Replacement Project or take any action thereon.

PROPOSED MOTION

Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

There is an outstanding borrowing authorization that was only partially rescinded at the November 14, 2017 town meeting. There are additional amounts to be rescinded.

Amount authorized (10/20/2015 TM, Article 5)	\$ 1,684,963.00
MSBA Project Reimbursement	\$ (978 ,094.00)
Amount Rescinded (11/14/17 TM, Article 8)	\$ (187,301.26)
Remaining Amount to Rescind	<u>\$ 519,567.74</u>

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE CREATE A RECREATIONAL MARIJUANA HOST COMMUNITY AGREEMENT STABILIZATION FUND AND APPROPRIATE FUNDING TO SAID FUND

To see if the Town will vote to create a Recreational Marijuana Host Community Agreement Stabilization Fund, pursuant to G.L. c. 40, §5B, said fund to receive receipts collected via recreational marijuana host community agreement fees; and further, to raise and appropriate or transfer from available funds a sum of money to the said Host Community Stabilization fund, or take any action thereon.

PROPOSED MOTION

Move that the Town create a Recreational Marijuana Host Community Agreement Stabilization Fund and transfer \$325,000 from Free Cash to said Stabilization Fund.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

According to guidance issued by the CCC, Host Community Agreements for recreational marijuana are supposed to be used to defray costs associated with the location of recreational marijuana businesses within the Town. There continues to be discussions on the state level as to whether that requirement is just or enforceable. Creating a stabilization fund for these receipts until their lawful use can be determined would be a prudent move.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote pursuant to G.L. c. 40, §5B.

ARTICLE AMENDMENT TO THE GENERAL BYLAWS – COLLECTION BOXES

To see if the Town will vote to amend the Collection Box bylaw by inserting all underlined text and removing any text that is crossed out, said changes to be inserted to or removed from said bylaw in font and script consistent with the existing bylaw or take any action thereon.

**COLLECTION BOXES FOR NOT FOR PROFIT AND PROFIT ORGANIZATIONS AND
INDIVIDUALS**

(New Bylaw 5-7-01, Amended 10-20-15; [11-17-20](#))

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. [Effective the passage of the revised bylaw, this bylaw will be enforced by the Board of Health.](#)

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:

APPLICANT: An Operator, as defined within this bylaw, applying to have a collection box installed on a property.

CERTIFICATE OF COMPLIANCE: The Certificate of Compliance issued by the [Board of Health](#) ~~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.~~

SECTION 5: SITING CRITERIA

~~The Board of Health will use the following criteria in determining whether to allow placement of a collection box at a particular location:~~

- ~~1. The applicant's name, business name, business address and telephone number as well as the name, address and telephone number of the person or persons responsible for maintaining each collection box;~~
- ~~2. Written permission of the owner allowing the placement of the collection box;~~
- ~~3. A sketch plan showing the proposed location of the collection box on the property as well as existing conditions on the property such that there is safe and convenient pedestrian and vehicular access to them. The Board of Health may, by regulation, limit the number of collection boxes within a specific radius from existing collection boxes;~~
- ~~4. That the collection boxes shall be of the type that is enclosed by use of a receiving door and locked so that the contents of the collection box may not be accessed by anyone other than those responsible for the retrieval of the contents;~~
- ~~5. That each collection box must be regularly emptied of its contents so that it does not overflow. Used clothing or other donated goods and materials may not be placed about the surrounding area. All collection boxes must be maintained in a state of good repair and in a neat and clean condition, and free of trash, debris, refuse or like material;~~
- ~~6. Additional information as offered by the Applicant or requested by the Board of Health.~~

~~If the applicant satisfies the requirements of the Board of Health as annotated above, the Board of Health shall issue a Certificate of Compliance. If the Operator's application for a Certificate of Compliance is denied, a letter with the reason(s) for denial will be sent to the applicant and the property owner.~~

~~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 6: ANNUAL APPLICATION ~~An annual application shall be filed by the operator by January 31st of each year, for placement of collection bins for that calendar year. Applications must contain all of the information list in Section 5 of this bylaw. Upon approval of said application, the Board of Health shall give the operator a certificate of compliance for the approved collection bi. The operator shall be required to post said certificate upon the approved collection box.~~

~~Bins that are not approved by the Board of Health, or bins that do not bear the Certificate of Compliance shall be subject to actions defined in Section 8 of this bylaw.~~

SECTION 7: 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 Health~~~~Board of Selectmen~~ may assess fines not to exceed \$100.00 ~~for each offense~~ per Section 2 of this bylaw~~7~~ to the property owner for failure to remove excess articles immediately upon receipt of written notification from the ~~Board of Health~~~~Board of Selectmen~~. All notices shall be sent to both the property owner and operator.

SECTION 8: OPERATOR OBLIGATIONS Collection boxes must be clearly labeled ~~with~~ contact

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information for the operator on the front of the box including name, address and telephone number. Any operator who fails to obtain and post a Certificate of Compliance upon the collection box or fails to pick up items from the collection box within five (5) calendar days from the Board of Health's 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 Health Board of Selectmen shall enforce compliance with this Bylaw and may enter upon real property for purposes of such compliance. The Board of Health Board of Selectmen may assess fines not to exceed \$100.00 per Section 9 of this bylaw to the operator for failure to empty and maintain the collection box(es) immediately upon receipt of written notification from the Board of Health Board of Selectmen. All notices shall be sent to both the property owner and operator.

SECTION 97: 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 shall be jointly and severally liable for each violation. If within one year from the issue date of the Certificate of Compliance, the Board of Health 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 Health 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.

PROPOSED MOTION

Move that the motion be accepted as written

FINANCE ADVISORY COMMITTEE RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

According to guidance issued by the CCC, Host Community Agreements for recreational marijuana are supposed to be used to defray costs associated with the location of recreational marijuana businesses within the Town. There continues to be discussions on the state level as to whether that requirement is just or enforceable. Creating a stabilization fund for these receipts until their lawful use can be determined would be a prudent move.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote pursuant to G.L. c. 40, §5B

ARTICLE AMENDMENT TO THE GENERAL BYLAWS – PERSONNEL BYLAW

To see if the Town will vote to amend the Personnel bylaw by inserting all underlined text and removing any text that is crossed out, said changes to be inserted to or removed from said bylaw in font and script consistent with the existing bylaw or take any action thereon.

PERSONNEL BYLAW (5-5-79) (Amendment accepted @ ATM May 4, 2009) (Amended ATM May 6, 2014) (Amended STM November 17, 2020)

SECTION 1: PURPOSE

This bylaw shall be known as and cited as "The Town of Leicester Personnel Bylaw." Its purpose is to establish personnel policies which may be adopted by the Town under provisions of Massachusetts General Laws, Chapter

41, Section 108A, and the Home Rule Amendment. These policies shall encompass a Job Classification and Compensation Plan and leave benefits.

SECTION 2: DEFINITIONS

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

ACTING: Performing the duties and having the responsibilities of another position on a temporary basis without having officially been appointed to the position.

APPOINTING AUTHORITY: Any person, board, or commission having the power of appointment or employment pursuant to Massachusetts General Laws.

BOARD: ~~The Personnel Board.~~ The Select Board, serving as the Personnel Board

CASUAL EMPLOYEE: An individual employed in a position calling for work which does not constitute regular employment; the work being rendered occasionally and without regularity on an ad hoc basis, according to the demands, therefore as determined by appointing authority.

CLASSIFICATION: A job title of a position or a group of positions similar in duties, authority, responsibility, and qualifications.

CLASSIFICATION DATE: First day of employment in a given classification.

CLASSIFICATION PLAN: A listing of all approved job titles and an occupational grouping of classifications.

COMPENSATION PLAN: A listing of wages designated to job classifications.

CONTINUOUS SERVICE: Paid full-time and part-time employment in the service of the Town, which is not interrupted by resignation, termination, or dismissal. "Continuous service" shall include all leave with pay.

DAY: One-fifth (1/5) the total number of regularly scheduled hours in one work week.

DEPARTMENT HEAD: The officer, board, or other body having immediate charge and control of a department or agency.

FULL-TIME EMPLOYEE: An individual in the employ of the Town regularly scheduled for an average of not less than thirty-two (32) hours per week for fifty-two (52) weeks per annum.

HIRE DATE: First day of employment with the Town.

INTERMITTENT EMPLOYEE: An individual employed in a position whose service, although regular, is not rendered for prescribed working hours, either daily, weekly, or annually, but is rendered as required according to the department head or appointing authority.

ON-CALL EMPLOYEE: An individual in the employ of the Town who has been designated as available for duty as needed.

PART-TIME EMPLOYEE: An individual in the employ of the Town regularly scheduled for less than thirty-two (32) hours per week for fifty-two (52) weeks per annum. Part-time employees regularly scheduled for a minimum of twenty (20) hours per week for fifty-two (52) weeks per annum qualify for certain benefits as defined by this Bylaw.

PROBATIONARY EMPLOYEE: Any new employee whose tenure in the Town service has not exceeded 90 days; such employees have limited rights during this stage of their employment and may be discharged at any point at which the level of performance is determined to be unacceptable by the appointing authority. At the end of the probationary period, a written review shall be prepared by the department head which will state whether the probationary employee has performed satisfactorily to be accepted as a regular Town employee. If the performance is not acceptable, the reason or reasons will be stated. The original 90 probationary period may be extended with the written approval of the Town Administrator.

RATE: Amount of money designated as compensation for a job classification.

TOWN: The Town of Leicester.

WORK WEEK: The total number of regularly scheduled hours from Sunday to the following Saturday.

SECTION 3: SELECT BOARD AS PERSONNEL BOARD

The Personnel Bylaw shall be administered by ~~the Select Board who shall serve the Town as the Personnel Board, consisting of five (5) residents of the Town, who shall be appointed by the Board of Selectmen. The term of office of members of the Board shall be three years, but the terms of no more than two members shall expire the same year.~~

~~No elected or appointed officer of the Town of Leicester and no person employed by the Town of Leicester shall be eligible for service on the Board. The Board shall meet regularly as necessary to consider such business as may be presented by Town officials, Town employees, and others. Any member of the Board missing three (3) consecutive meetings without sufficient reason may be subject to removal. At least three (3) members of the Board shall be present in order to constitute a quorum. At any meeting of the Board, action by a majority of all the Board members shall be binding. The Board shall serve without compensation.~~

SECTION 4: DUTIES OF PERSONNEL BOARD

a. The Board shall review and approve written position descriptions and personnel policies, which shall be drafted by the Town Administrator, ~~and subject to approval by the Board of Selectmen upon the Town Administrator's recommendation.~~ The descriptions shall not be interpreted as complete or limiting definitions, and employees shall continue to perform duties assigned by their supervisors.

b. The Town Administrator and department heads shall keep such records of Town employees as the Board may require. The Board shall keep such records of its own, as it considers appropriate

c. The Board shall review the job classification and compensation plan under its jurisdiction at intervals of not more than three (3) years. The Board may review and approve existing job classifications as drafted by the Town Administrator, ~~and subject to approval by the Board of Selectmen upon the Town Administrator's recommendation.~~ No new classification(s) shall be established without a report of the Board, ~~subject to the subsequent ratification of its actions by the Board of Selectmen.~~ No new classification shall permanently exist until such ratification.

SECTION 5: APPLICATIONS

a. The provisions of this Bylaw shall apply to all employees in the service of the Town of Leicester, except for positions filled by popular election, positions under the jurisdiction of the School Committee, positions covered by collective bargaining units of the Town pursuant to Chapter 150E of the General Laws, and positions covered under other contracts. This Bylaw may be used as a guide for authorized officials in determining the compensation of, and personnel policies for those employees that are not specifically governed under this bylaw.

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b. Nothing in this Bylaw or the Administrative rules and regulations adopted by the Board shall limit any rights of employees under Massachusetts General Laws, Chapter 150E, or Chapter 31.

c. Subject to the General Bylaws of the Town and this Bylaw, the Town Administrator shall be responsible for the day-to-day administration of the personnel system, in accordance with the policies of the Board. The Town Administrator may formulate, with the approval of the Board, personnel guidelines and directives for the purpose of effecting standardized, efficient, and equitable personnel procedures and practices. The Town Administrator may obtain such information or records as may be necessary from department heads in order to carry out his/her duties under this Bylaw.

d. The Appointing Authority shall notify the Board upon selection of an applicant to a position with the Town and shall provide all pertinent information for the records of the Board. ~~In the case of a Board of Selectmen appointment, the Town Administrator shall notify the Board.~~

SECTION 6: CONFLICT AND MODIFICATION

If any of the provisions of this Bylaw conflict with any relevant state law, the conflicting provision of this Bylaw shall be deemed modified by the law or regulation sufficiently only to end the conflict.

If any provision of this Bylaw, or application thereof, is determined to be invalid under state or federal law, such determination shall not be construed to affect the validity of any other provision of this Bylaw, or application thereof.

SECTION 7: AMENDMENTS

This Bylaw may be amended by vote of the Town at any Annual or Special Town Meeting. The Board shall make a report and recommendation to the Town prior to the taking of any action by the Town on any proposed amendment. Failure of the Board to report shall not prevent the Town from taking action on the proposal of this Bylaw, or application thereof.

SECTION 8: POLICIES AND PROCEDURES

The Personnel Board shall establish, adopt, and maintain such policies, procedures, rules, and regulations as it deems necessary for the implementation and administration of this Bylaw.

SECTION 9: SICK LEAVE

Full-time and part-time employees of the Town subject to this Bylaw shall be allowed, without loss of pay, sick leave for personal illness as provided for in this section.

9.1 RATE OF ACCUMULATION Full-time and part-time benefit-eligible employees shall accrue and accumulate earned sick leave credit for personal illness at the rate of one-fifth (1/5) the total regular weekly scheduled hours x 1/4 for each full month of service.

9.2 MAXIMUM ACCUMULATION Full-time and part-time employees may earn and accumulate sick leave up to a maximum of ninety (90) days.

9.3 USE OF SICK LEAVE No sick leave with pay shall be granted during the first three (3) months of employment. The Town will allow an employee to use up to five (5) days of sick leave per calendar year for the purpose of caring for a spouse, child, or parent of either the employee or the employee's spouse, or for any person living under the same roof as part of the family, who is seriously ill or injured. A seriously ill or injured person is defined as any person under the care of a doctor who has been confined to a home or hospital with a serious verifiable medical condition.

9.4 SICK LEAVE EXTENSION A full-time employee with ten (10) years of service and seventy (70) days of earned sick leave at the date of first absence for illness or disability of a prolonged and uninterrupted nature, shall be

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compensated at 60% of base pay while absent from work for said sickness for the period of time commencing upon exhaustion of sick leave and all other paid leaves, and ending on the first anniversary date of the illness. If prior to the first day of an extended illness, a full-time employee with five (5) years of service has been credited with thirty-five (35) or more days of accrued sick leave, then upon exhaustion of sick leave and all other paid leaves, the employee shall be compensated at 30% of his/her base weekly salary or wage until the first anniversary date of the extended illness. Employees on worker's compensation shall not be eligible for compensation under this provision.

9.5 DEDUCTIONS Any compensated sick leave actually taken by any employee shall be deducted from his/her sick leave credit. Holidays and days not included in the employee's normal workweek shall not be deducted from sick leave credit. Loss of time directly attributed to injury incurred while performing regular duties and qualifying for workers compensation shall not be charged to sick leave.

9.6 WITHIN TOWN SERVICES No transfer within the service of the Town shall affect the amount of earned sick leave credit and accumulations to which an employee has been entitled under this Bylaw. Upon transfer to another department, the employee's former department head shall transfer the employee's sick leave record to the employee's new department head.

9.7 UPON RETIREMENT Upon retirement from the Town, an employee with a minimum of twenty (20) years of service shall be entitled to payment of twenty (20) days of accrued sick leave credits. If a retiree with twenty years of service has fewer than 20 days of accrued sick leave credits, he/she shall be paid the balance of said accrual. One (1) day would be equal to one-fifth (1/5) of the regularly scheduled hours per week.

9.8 ABSENCES For absences on account of sickness in excess of three (3) consecutive working days, the department head may request a physician's certificate. For absences on account of sickness in excess of five (5) consecutive working days, the department head shall require a physician's certificate.

9.9 EARNING SICK LEAVE WHILE ON LEAVE OR WORKERS' COMPENSATION All employees entitled to sick leave under this Bylaw shall earn sick leave credit even while in the status of paid sick leave. Employees entitled to sick leave under this Bylaw shall earn sick leave credit up to one year from the anniversary of the illness while in the status of Workers' Compensation. No sick leave will accrue while on unpaid leave. Accrual will resume upon return to work.

Section 10: VACATION LEAVE

10.1 ELIGIBILITY Upon completion of the 90-day probationary period, full-time and part-time benefited employees as defined in this Bylaw shall be entitled to paid vacation in accordance with the following schedule.

The vacation year of the Town shall be the period of July 1 to June 30, inclusive. Any Town employee working twenty (20) or more hours per week will be credited as of June 30th with vacation leave with pay for the subsequent year not to exceed the following:

10.1.1 VACATION LEAVE FIRST YEAR OF SERVICE For any employee with less than one (1) year's service, the following schedule will be used to determine vacation for the first fiscal year:

INCLUSIVE HIRE DATES

From	Through	Vacation Hours Earned (1 st years' service only)
Jul 1	Jul 1	2.00 X Weekly Authorized Hours
Jul 2	Aug 1	1.80 X Weekly Authorized Hours
Aug 2	Sep 1	1.60 X Weekly Authorized Hours
Sep 2	Oct 1	1.40 X Weekly Authorized Hours
Oct 2	Nov 1	1.20 X Weekly Authorized Hours
Nov 2	Dec 1	1.00 X Weekly Authorized Hours

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Dec 2	Jan 1	0.80 X Weekly Authorized Hours
Jan 2	Feb 1	0.60 X Weekly Authorized Hours
Feb 2	Mar 1	0.40 X Weekly Authorized Hours
Mar 2	Apr 1	0.20 X Weekly Authorized Hours
Apr 2	Jun 30	0.00 X Weekly Authorized Hours

10.1.2 ACCRUAL OF VACATION LEAVE AFTER FIRST YEAR OF SERVICE For service after July 1 after the first year of employment up to and including four full years of service completed June 30, vacation leave is two (2) times the weekly authorized hours. If a person enters municipal service on the first working day of a vacation year, that year shall constitute the first of four (4) years completed.

For five (5) through nine (9) years of service, inclusive, completed on June 30 the vacation leave is three (3) times the weekly authorized hours.

For ten (10) through nineteen (19) years of service, inclusive, completed on June 30 the vacation leave is four (4) times the weekly authorized hours.

For twenty (20) years or greater of service, inclusive, completed on June 30 the vacation leave is five (5) times the weekly authorized hours.

One (1) week shall be the total number of regularly scheduled hours between Sunday and Saturday.

Temporary employees or employees working fewer than 20 hours per week are not entitled to Vacation Leave.

10.2 USE OF VACATION LEAVE Vacations shall be scheduled with the approval of the department head and Town Administrator for such time as best serves the needs of the department and the public. Although vacation accruals begin from date of hire, vacation entitlement and use commences upon completion of the 90-day probationary period.

Vacation leave is not cumulative from year-to-year, except upon the written approval of the Town Administrator. The Town Administrator may, in his/her sole discretion, authorize a carryover of not more than ten (10) days based upon the employee's regularly scheduled hours. ~~This shall be subject to notification in writing to the Board of Selectmen.~~

NOTE: There will be a period of adjustment with a higher maximum carryover permitted for FY15 to allow use of previously earned vacation accruals under the previous provisions of this bylaw.

10.4 TERMINATION OF EMPLOYMENT Upon termination of employment with the Town, an employee shall be entitled to payment of all unused accrued vacation credit prorated to the date of separation.

10.5 EARNING VACATION WHILE ON LEAVE OR WORKERS' COMPENSATION Employees will continue to earn vacation credit while on paid leave. An employee will continue to earn vacation credit while in the status of workers' compensation for up to one year from the anniversary date of the injury. No vacation credit will accrue while on unpaid leave. Accrual will resume upon return to work.

10.6 RATE OF PAY FOR VACATION LEAVE Vacation Leave will be paid at the employee's base pay rate at the time of vacation.

SECTION 11: OTHER LEAVES

11.1 MILITARY TRAINING Full-time employees who are required to report for temporary summer, or a like period of training in the military forces of the nation or the Commonwealth, shall be paid an amount equal to the difference between compensation for a normal working period and the amount paid for military training; provided that the employee furnish to his/her Department head an authenticated copy of the orders issued to him/her and an

authenticated certificate showing the date or dates on which such duty was performed. Instead, an employee, on his/her request, may schedule his/her regular vacation during his/her period of military leave. The maximum amount of military training allowed in a fiscal year is seventeen (17) working days.

11.2 JURY DUTY An employee required to serve on a jury on days he/she is scheduled to work, shall be paid his/her regular wages for the first three (3) days, or part thereof, of such juror service, at his/her regular straight time rate. For fourth and subsequent days of such juror service, the employee shall be paid the difference between the amount received as juror compensation (excluding travel allowance) and the employee's straight time wage.

An employee seeking compensation in accordance with this Section shall notify the Department head after receipt of the notice of selection for jury duty and shall furnish a written statement to the Town showing dates of juror service, time served, and the amount of juror compensation received.

If an employee is required to appear in Court as a defendant or witness in an action arising out of the performance of his/her duties for the Town, the employee shall be construed to be on duty for the Town if such time as he/she is officially required to be in court falls within his/her regularly scheduled working hours. The employee shall provide prior notice to his/her Department head of such court appearance and such documentation as may be requested by the Department head.

11.3 MATERNITY LEAVE All qualified full-time and part-time employees, as defined in this Bylaw and covered by MGL Chapter 149, Section 105D, shall be entitled to maternity benefits.

11.4 FAMILY AND MEDICAL LEAVE The Town of Leicester shall provide its employees Family and Medical Leave in accordance with provisions of the Federal Family and Medical Leave Act and the Massachusetts Small Necessities Act. The Board of Selectmen may issue such rules, regulations, and policies as may be necessary to carry out the Acts. The Town Administrator shall administer the leave program.

11.5 BEREAVEMENT In the event of a death in the immediate family of a full-time or part-time employee, he/she will be entitled to a maximum of one (1) regularly scheduled work week of Bereavement Leave. Paid bereavement begins the first day following death and is payable according to the following:

☐ *One (1) work week:* Employee's spouse or domestic partner, child, step-child, parent, step-parent, brother, sister, step-brother, step-sister.

☐ *Three (3) consecutive days:* Employee's grandparents, grandparents-in-law, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law.

☐ *One (1) day:* Employee's brother-in-law, sister-in-law, aunt, uncle, nephew, niece, first cousin. Bereavement Leave is normally granted immediately following a death in the family. If funeral arrangements are postponed or when other unusual circumstances exist, the employee may, with supervisory approval, defer the Bereavement Leave to a later date. Bereavement Leave cannot be paid in addition to any other paid time off such as Holiday, Vacation, Sick, or Personal Leave. However, if an employee is being paid Sick, Vacation, and/or Personal Leave, he/she may request to be paid Bereavement Leave.

If an employee is regularly scheduled to work on a day on which a holiday falls and is on Bereavement Leave, he/she will be paid Bereavement Leave for his/her regularly scheduled hours and will receive Holiday Compensatory Leave for his/her regularly scheduled hours.

11.6 PERSONAL LEAVE

a. Full-time and part-time benefited employees will accrue personal leave *annually*. This shall be calculated as follows: Eligible employees will accrue 0.75x their average regularly scheduled hours per work week annually.

During the first year of employment each such employee will be eligible for the following Personal Leave:

☐ Hired between July 1-October 30 – 1.0x annual accrual

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- ☐ Hired between November 1-February 28(29) – 0.33x annual accrual
- ☐ Hired between March 1-June 30 – 0.00x annual accrual

Personal Leave shall be scheduled with prior approval of the department head subject to the operating and staffing needs of the department as determined by the department head. Personal Leave must be used during the fiscal year in which it is awarded and cannot be carried over from fiscal year to fiscal year. Personal Leave not used by the end of the fiscal year shall be forfeited and may not be converted to cash. Upon termination or retirement Personal Leave may not be converted to cash.

11.7 HOLIDAY LEAVE. This section effective upon approval at 2009 Town Meeting (June 16-09).

Full-time and part-time benefited employees shall be paid for each of the following holidays as outlined below:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	Veteran's Day
Patriot's Day	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

If a full-time or part-time employee is:

1. regularly scheduled to work on a day on which a holiday falls, he/she will be paid for his/her regularly scheduled hours.
2. regularly scheduled and required to work on a day on which a holiday falls, he/she will be paid straight time for hours worked and receive holiday pay for his/her regularly scheduled hours.
3. not regularly scheduled to work on a day on which a holiday falls, he/she will receive Holiday Compensatory Leave at the rate of one-fifth (1/5) the total regular weekly scheduled hours x 1 1/4
~~at one-fifth (1/5) the total number of hours he/she is regularly scheduled to work during a normal work week.~~
4. not regularly scheduled to work on a day on which a holiday falls but is required to work (with the exception of department heads), he/she will be paid straight time (or according to overtime rules, if applicable) for hours worked and receive Holiday Compensatory Leave at one-fifth (1/5) the total number of hours he/she is regularly scheduled to work during a normal work week.

NOTE: Holiday Compensatory Leave will be scheduled at the discretion of the department head and must be taken within six (6) months.

11.8 AUTHORIZED LEAVE WITHOUT PAY Leaves of absence without pay may be granted only after the written recommendation of the department head and the approval of the Board of Selectmen. The Board of Selectmen shall consider whether the leave is scheduled for such time as best serves the needs of the department and the public.

11.9 UNAUTHORIZED LEAVE WITHOUT PAY Any absence which has not been authorized by law, this Bylaw, or by administrative rules and regulations shall be unauthorized leave without pay. Any employee who is absent for a period of five (5) consecutive workdays without specific authorization for such absence shall be deemed to have permanently vacated his/her position, unless authorization is subsequently granted by the Town Administrator.

PART II

SALARY/WAGES

SECTION 12: COMPENSATION

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All employees included in the Job Classification and Compensation Plan shall be eligible to receive pay based upon their job classifications. All job classification adjustments shall be subject to written recommendation of the appointing authority with the approval of the Board.

~~The starting rate shall be the minimum of the salary range of the job classification to which the new employee has been hired. Upon the recommendation of the Town Administrator, the Appointing Authority may provide a starting rate higher than the minimum of the salary range up to the mid-point of the salary range. The starting rate of the employee shall be placed on the range as stipulated in the classification and compensation plan. A new employee's education and years of experience in similar positions shall be used in determining~~ The recommendation must substantiate that the candidate possesses prior job experience, extra qualifications, and/or education that directly relates to the job classification.

12.1 PERFORMANCE REVIEW A written evaluation of each employee's performance shall be conducted annually by the department head on such form as the Town Administrator shall require. The purpose of the performance review is to provide a periodic, formal process to review the employee's performance matched against prior mutually-agreed upon goals and objectives. The written performance evaluation shall be reviewed with the employee and signed by both parties attesting to the review; however, the employee only attests to the review itself, not necessarily its contents.

Base Wage increases are based on merit and ability as determined through the annual performance review process. They are not automatic. The department head shall perform the evaluation, and the Town Administrator shall review it. Employees who receive a satisfactory or better evaluation shall be eligible for a base wage increase. The Town Administrator shall determine the amount of any increase in light of the availability of appropriated funds and the employee's overall performance. If the employee receives a satisfactory or better review from his department head and funds have been appropriated, the employee may appeal the Town Administrator's decision to award a base wage increase below the average on a percentage basis (including the decision to award the employee no base wage increase) to the Board of Selectmen, which shall confer with the employee, the department head, and the Town Administrator. For ratification.

SECTION 13: CLASSIFICATION Refer to the Town's "Classification and Compensation Plan."

SECTION 14: PAY SCHEDULE Refer to the Town's "Classification and Compensation Plan.

SECTION 15: HEALTH FUND AGREEMENT AND TRUST

A. Non-bargaining unit members shall be eligible to participate in the Town's Health Fund Agreement and Trust, established pursuant to Section 15 of Chapter 32B, where non-bargaining unit members live outside of the HMO service area and who were full-time employees retiring after November 1, 1994 from the service of the Town.

B. To be eligible for benefits under the Trust, a retired employee must be participating in the Town's health insurance program unless said employee is located in an area where it is unavailable, and must be actually retired under Chapter 32 of the Massachusetts General Laws.

C. The Town's minimum financial contribution and liability under the Trust shall not be less than 50%. The Board of Selectmen shall have the right to adjust the Town's level of contribution and to set a financial cost ceiling on the Town's contribution under the Trust.

D. No person receiving benefits under this bylaw may pyramid health insurance benefits with another health insurance program of the Town.

E. The Board of Selectmen may adopt appropriate rules and regulations to implement this bylaw.

PROPOSED MOTION

Move that the article be accepted as written.

FINANCE ADVISORY COMMITTEE RECOMMENDATION

SELECT BOARD RECOMMENDATION

DESCRIPTION

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote pursuant to G.L. c. 40, §5B.

**SELECT BOARD MEETING MINUTES
AUGUST 17, 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

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

Luke Boucher, engineer with VHB, discussed proposed drainage options for the Fire & EMS Headquarters to alleviate water flowing from the site into the Warren Ave neighborhood due to failing retention ponds. Options discussed included using Gleason Way, Harberton and Warren Ave out to Route 9. A new resident on Harberton expressed concern about drainage running across his property to Sargents Pond as he has issues controlling the water now. Mr. Boucher noted that replacing the Warren Ave drainage system would slow down the rate of water coming off the site the most out of all options. The Board discussed amendment #5 (wetlands delineation) and amendment #6 (feasibility study for a pump station) to the VHB contract and decided to revisit this item at their next meeting.

2. REPORTS & ANNOUNCEMENTS

a. Select Board Reports

The Select Board discussed various topics including the 8/5 School Building Committee meeting, thanks to all public safety employees for their work during the storm and a recent fire, Mr. Brooks apologized for making a gesture at the last meeting, the upcoming meeting with City Manager of Worcester regarding the health alliance, the third party drainage study for the proposed new school, thanks to all who volunteer in town, be respectful of others opinions and tree removal at Burncoat Park.

b. Town Administrator Report

The Town Administrator presented highlights from his written report.

3. PUBLIC COMMENT PERIOD

No members of the public provided comment.

4. RESIGNATIONS & APPOINTMENTS

a. Resignation – Michael Curtis – Registrar (Republican)

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to accept the resignation of Michael Curtis from the Board of Registrars and to send a letter of thanks for his service. Roll call: 5:0:0.

b. Appointment – William LeBeau – Registrar (Republican)

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to appoint William LeBeau to the Board of Registrars to fill a republic seat. Roll call: 5:0:0.

c. Appointment – Suzanne Sears – Parks & Rec Committee

A motion was made by Mr. Shocik and seconded by Mr. Antanavica to appoint Suzanne Sears to the Parks & Rec Committee. Roll call: 5:0:0.

d. **Appointment – Renee McCue-Hall – Council on Aging**

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to appoint Renee McCue-Hall to the Council on Aging. Roll call: 5:0:0.

5. OTHER BUSINESS

a. **Recycling Center Discussion Update**

The Select Board and members of the Recycling Committee discussed fees for commercial landscaping companies using the Center, allowing an out of town contractor to use the Center, compost and not taking root balls or large branches. The Committee will continue to discuss these items and let the Board know if they need any assistance.

b. **Sign State Primary Warrant**

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to sign the State Primary Warrant. Roll call: 5:0:0.

c. **Discussion/Vote to set date, time and location of Fall Town Meeting – 11/17/2020 @ 7:00 – High School Gymnasium**

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to set the date, time and location of Fall Town Meeting as November 17th at 7pm in the High School Gym. Roll call: 5:0:0.

d. **Discussion/Vote to open the Fall Town Meeting Warrant and set warrant closing date – 09/24/2020 @ 5:00 PM.**

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to open the Fall Town Meeting Warrant and to set the closing date as September 24, 2020. Roll call: 5:0:0.

e. **Discussion/Vote - Police Contract MOU**

This item was passed over.

f. **Discussion/Vote - Department Head Contracts**

A motion was made by Mr. Antanavica and seconded by Mr. Duggan to approve a new three-year contract with Library Director Suzanne Hall. Roll call: 5:0:0.

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to approve a new three-year contract with Town Accountant Allison Lawrence. Roll call: 5:0:0.

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to extend the contract with Assessor John Prescott through December 31, 2020 due to his impending retirement. Roll call: 5:0:0.

g. **Reserve Fund Transfer - \$14,000 – Fire Department Air Pack Replacement Grant Match**

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to recommend the Finance Advisory Board approve a \$14,000 Reserve Fund Transfer request from the Fire Department to provide matching funds for a \$294,000 grant received to replace SCBA devices. Roll call: 5:0:0.

h. **Approval of Sale of \$1,969,445 in Bonds Anticipation Notes (BAN)**

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to approve the sale of \$1,969,445 in bond anticipation notes for various projects at an interest rate of 0.64%. Roll call: 5:0:0.

i. **Discussion/Vote – FY21 Town Administrator Goals**

This item was passed over

j. **Discussion/Vote – Collection/Donation Box Ban Bylaw**

The Board discussed potential amendments to the collection box bylaw including banning the boxes, restricting approval to nonprofit organizations only, limiting the number of boxes allowed in town, how to deal with pre-existing boxes and giving the authority for overseeing the permitting of these boxes to the Board of Health. Mr. Genereux will speak with Town Counsel and draft a bylaw amendment for the November Fall Town Meeting.

6. MINUTES

a. **July 20, 2020**

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to approve the minutes of July 20, 2020. Roll call: 5:0:0.

b. **July 30, 2020**

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to approve the minutes of July 30, 2020. Roll call: 5:0:0.

c. **August 3, 2020**

A motion was made by Mr. Shocik and seconded by Mr. Antanavica to approve the minutes of August 3, 2020. Roll call: 5:0:0.

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Antanavica at 8:51pm. Roll call: 5:0:0.

**SELECT BOARD MEETING MINUTES
AUGUST 24, 2020 AT 6:00PM
VIRTUAL MEETING**

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 7:00pm. 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

a. 6:30pm – Fire Station Retention Pond Issue Discussion with VHB

Luke Boucher, engineer with VHB, discussed possible options for remediating water issues at the Fire & EMS Headquarters due to the failing retention ponds. Areas where drainage could potentially be run are on Harberton and Gleason. The Board discussed a variety of issues including the difficulties running drainage all the way down to the pond or rebuilding the swale behind Warren Ave due to the Wetlands Protection Act, residents' concerns about water migrating to their properties as a result of the improvements, a possible pump station, who would be responsible for cleaning culverts in the area and mapping out the wetlands. The Board agreed to move forward with flagging and mapping out the wetlands, so it is clear where the 100-foot buffer lies. Luke Boucher will prepare an amendment to the VHB contract and the Town Administrator will sign it.

2. APPOINTMENTS

a. Appointment – Assistant Town Administrator – Kristen Forsberg

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to appoint Kristen Forsberg to the position of Assistant Town Administrator. Under discussion, Mr. Genereux noted that the Assistant Town Administrator position was created by the Board last year but was not funded at that time due to lack of revenue. Ms. Forsberg is a finalist for an Assistant Town Administrator position in Northborough. The Board discussed offering Ms. Forsberg the Assistant Town Administrator position and reorganizing the office in executive session. Mr. Genereux proposed moving economic development and grant writing into the Town Administrator's office, making the current Economic Development Coordinator Bryan Milward the new full time Assistant to the Town Administrator, eliminating the Economic Development Coordinator position and eliminating the part time Administrative Assistant position in the office. This reorganization would bring all business assistance, economic development, grant writing and grant management into one office. Mr. Genereux stated that Ms. Forsberg has extensive background in economic development and grant writing. Mr. Genereux stated that there is no requirement for posting these positions under the Town's personnel bylaws and that these two individuals are the only town employees with the qualifications to fill these positions. The current Administrative Assistant would be laid off and would be eligible for unemployment. Roll call: 5:0:0.

b. Lateral Transfer – Assistant to the Town Administrator – Bryan Milward

A motion was made by Mr. Brooks and seconded by Mr. Shocik to approve a lateral transfer for Bryan Milward from the Economic Development Coordinator position to the Assistant to the Town Administrator position. Roll call: 5:0:0.

3. NEW BUSINESS

a. Discuss/Vote - Department Head Contracts (Assistant Town Administrator, Highway Superintendent)

Mr. Genereux presented a draft contract with Assistant Town Administrator Kristen Forsberg. This is a standard three-year contract that all Department Heads receive. The starting salary would be \$60,888 and would increase to \$67,640 as of July 1, 2021. The agreement states that Ms. Forsberg will stop all administrative work by July 1 or sooner if a replacement is found for her position. As Mr. Milward will be taking the Assistant to the Town

Administrator position, this transition takes effect immediately. A motion was made by Mr. Brooks and seconded by Mr. Antanavica to approve a three-year contract with Assistant Town Administrator Kristen Forsberg. Roll call: 5:0:0.

Mr. Genereux presented a draft one-year contract with Highway Superintendent Dennis Griffin which would run from July 1, 2020 to June 30, 2021. Mr. Griffin would formally take charge of facilities and would receive a \$7,000 stipend. This stipend has been included in the highway FY21 budget. Mr. Griffin is willing to obtain a construction supervisors license. A motion was made by Mr. Brooks and seconded by Mr. Shocik to approve a one-year contract with Highway Superintendent Dennis Griffin. Roll call: 5:0:0.

b. Discuss/Vote – Police Union Memorandum of Understanding (MOU)

A motion was made by Mr. Brooks and seconded by Mr. Shocik to approve the one year memorandum of understanding with the police union. Roll call: 4:0:1 (Mr. Antanavica abstained).

4. OLD BUSINESS

c. School Special Town Meeting Update

Mr. Genereux provided an update on the September 26th school special town meeting. Topics discussed included the requirement to attend the meeting and vote in person, safety precautions including seating for 800 voters with proper social distancing, creating a separate mezzanine level that seats 50 for voters who do not feel comfortable on the main floor, keeping the doors open, using the two story air handler that is currently in the building, removing trip hazards on the floor, requiring masks, the equipment required to be brought in to run the meeting, the voting device company being brought in to run the voting system, bringing internet into the building, police details, creating a drop off area, providing free transportation from the WRTA, no paraphernalia at the meeting and providing portable toilets.. This plan has been approved by the Town's health agent and is estimated to cost upwards of \$20,000. These funds are eligible for reimbursement from the federal government under the CARES act.

d. Discuss/Vote – FY21 Town Administrator Goals

A motion was made by Mr. Brooks and seconded by Mr. Duggan to approve the FY21 Town Administrator Goals as presented. Roll call: 5:0:0.

A motion to adjourn was made by Mr. Antanavica and seconded by Mr. Shocik at 9:23pm. Roll call: 5:0:0.

**Select Board Meeting Minutes
August 31, 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 Bryan Milward were in attendance.

1. Discussion/Vote Board Recommendation on 9/26/20 Special Town Meeting Article: Proposed PreK-8 School

Marilyn Tencza, Superintendent of Schools, gave a summary of the history and milestones of the school project. Board members discussed the pros and cons of the project and debated drainage issues related to the site as well as other needs of the Town including future capital projects and water/sewer issues in Cherry Valley. Sandra Brock, Regan Shields Ives, and Mark Armington responded to questions from board members regarding engineering issues related to the project.

A motion was made by Mr. Shocik and seconded by Mr. Brooks to recommend approval of Article 1. Roll call: 1:4:0

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to not recommend approval of Article 1. Roll call 4:1:0

2. Sign 9/26/20 Special Town Meeting Warrant

A motion was made by Mr. Antanavica and seconded by Mr. Shocik to sign the 9/26/20 Special Town Meeting Warrant. Roll call 5:0:0

A motion to adjourn was made by Mr. Shocik and seconded by Mr. Antanavica at 6:59pm. Roll call 5:0:0