

PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: August 2, 2021

TIME: 6:30pm

LOCATION: Select Board Conference Room, 3 Washburn Sq -OR- Virtual (see 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***

<https://global.gotomeeting.com/join/188879757>

-OR-

(669) 224-3412; Access Code: 188-879-757

CALL TO ORDER/OPENING

1. SCHEDULED ITEMS

- a. 6:30pm – Assignment & Amendment of Host Community Agreement
ECOFARM Leicester, LLC to Gold Thumb, LLC
- b. 6:35pm - COVID Discussion – Francis Dagle, Health Director
- c. 6:45pm – Moose Hill Water Commission Discussion

2. PUBLIC COMMENT PERIOD

3. RESIGNATIONS & APPOINTMENTS

- a. Appointment – Part Time Senior Center Van Driver – Susan Chviruk
- b. Appointment – Select Board Harvest Fair Judge

4. OTHER BUSINESS

- a. Set Close Date for Becker Special Town Meeting Warrant – August 5, 2021
- b. Set Becker Open House Days – August 10, 2021 and September 7, 2021 from 5-7pm
- c. Proposal to Rent Becker Kitchen - Eric's La Patisserie
- d. One Day Liquor Licenses Request (4) – Maple Hill Golf Course – September 2, 3, 4 & 5, 2021

5. MINUTES

- a. July 19, 2021
- b. July 26, 2021

ADJOURN

ASSIGNMENT AND ASSUMPTION AND AMENDMENT
OF HOST COMMUNITY AGREEMENT BY AND AMONG
THE TOWN, ECOFARM LEICESTER LLC,
AND GOLD THUMB, LLC.

This Assignment and Assumption and Amendment of Host Community Agreement (this "Assignment") is made as of this day of August __, 2021 by and among the Town of Leicester, a Massachusetts municipal corporation with a principal address of 3 Washburn Square, Leicester, MA 01524 (the "Town"), ECOFARM Leicester LLC, formerly East Coast Organics LLC, a Massachusetts corporation having a place of business at 238 Shrewsbury Street, Worcester, MA 01604 ("ECOFARM") and Gold Thumb, LLC, a Massachusetts corporation having a place of business at 462 Center Street, Pembroke, MA 02359 ("Gold Thumb").

WITNESSETH:

WHEREAS, ECOFARM holds a provisional adult-use marijuana Cultivation (Tier 11/Indoor) license number MC281455, and provisional adult-use marijuana Product Manufacturing license number MP281356 (collectively the "Licenses").

WHEREAS, the Town and ECOFARM entered into that certain Host Community Agreement dated May 15, 2018, as supplemented by that certain letter from, ECOFARM to the Town dated May 19, 2021 clarifying the terms thereof (collectively, the "HCA") in connection with the use and operation by ECOFARM of a licensed Marijuana Establishment (upon receipt of final licenses with respect to the Licenses from the Massachusetts Cannabis Control Commission ("CCC")) at 88 Huntoon Memorial Highway, Leicester, MA (the "Premises").

WHEREAS, Section 17 of the HCA provides that ECOFARM shall not assign or otherwise transfer the HCA, in whole or in part, without prior written consent of the Town, said consent not to be unreasonably withheld;

WHEREAS, ECOFARM desires to assign all of its right, title and interest in and to the HCA, to Gold Thumb, and Gold Thumb desires to acquire all of ECOFARM's right, title and interest in and to the HCA, on the terms and conditions set forth herein; and

WHEREAS, the Town, ECOFARM, and Gold Thumb are entering into this Assignment to effectuate said assignment;

NOW, THEREFORE, for less than ONE AND 00/100 DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Town, ECOFARM, and Gold Thumb agree as follows:

1. The recitals set forth above are hereby incorporated into this Assignment by reference. Capitalized terms used in this Assignment and not defined herein shall have the meanings ascribed to them in the HCA.

2. Effective as of the date on which ECOFARM and Gold Thumb provide written notice

to the CCC that ECOFARM has transferred control of the Licenses to Gold Thumb (the "Effective Date"), ECOFARM hereby assigns, sets over and transfers to Gold Thumb all of ECOFARM's right, title and interest in the HCA. Gold Thumb hereby assumes and agrees to pay, perform, fulfill and observe all of the covenants, agreements, obligations and liabilities of ECOFARM under the HCA arising from and after the Effective Date. The parties hereto acknowledge that ECOFARM may not transfer control of the Licenses to Gold Thumb without first receiving approval by the CCC of a change of ownership and control request application with respect to the Licenses ("CCC Transfer of Control Request"). Gold Thumb shall promptly provide written notice to the Town once the Effective Date occurs along with copies of all documentation evidencing the CCC's approval of the CCC Transfer of Control Request.

3. The Town hereby consents to the assignment of the HCA by ECOFARM to Gold Thumb and this Assignment upon the provisions, terms and conditions provided herein; agrees and accepts Gold Thumb as the Operator thereunder; and the sole party responsible for the performance of all obligations of the Operator set forth in the HCA or in connection therewith.

4. As of the Effective Date, Section 20 of the HCA is hereby amended to remove references to East Coast Organics, LLC as Operator, and to provide notice information for Gold Thumb as follows:

If to Operator: Gold Thumb, LLC
 Attn: Charles Manice
 15 Locust Avenue
 Larchmont, NY 10538

With a Copy to: Feuerstein Kulick LLP
 Attn: Max Borg, Esq.
 810 Seventh Avenue, 34th Floor
 New York, NY 10019
 Email: max@dfmklaw.com

5. Except as amended by this Assignment, the terms of the HCA are hereby ratified and confirmed in all respects.

6. The Town and ECOFARM hereby confirm that, to their knowledge, neither of them is in default under any of the terms of the HCA, and that as of the date hereof, no state of facts or circumstances has arisen which, with the giving of notice or passage of time, or both, shall ripen into a default.

7. This Assignment may be executed in counterparts, each of which shall be an original and which together shall constitute a single instrument.

(Signature Pages Follow)

IN WITNESS WHEREOF, the parties hereto have executed or caused this instrument to be executed, under seal, on the day and year first set forth above.

TOWN OF LEICESTER

Approved as to legal form:

David Genereux
Town Administrator

Signatures Continue on Next Page

ECOFARM Leicester LLC, formerly East Coast Organics LLC

By: _____
Richard Rafferty, Manager

THE COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Richard Rafferty, as Manager of ECOFARM Leicester LLC, and proved to be through satisfactory evidence of identification ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he/she) signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

Signatures Continues on Next Page

Gold Thumb, LLC

By: _____
Charles Manice, Manager

THE

_____, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Charles Manice, as Manager of Gold Thumb, LLC, and proved to be through satisfactory evidence of identification ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he/she) signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

From: [Jason Main](#)
To: [Genereux, David](#)
Cc: [Forsberg, Kristen](#); [Francis Dagle](#)
Subject: inventory of supplies for Covid
Date: Thursday, July 29, 2021 8:36:02 AM

David,

Here is what I have on hand, we have burned through 3000 masks, 10 gallons of hand sanitizer and 2 cases of wipes since august of 2020 when I started keeping track. This is just what I have I do not have a handle on what each department has stashed but I know EMS and Police have some stuff. If the board would like us to order more we will need two things, a funding source and a storage place as my old office is pretty full. If we have anyone looking for volunteer hours let me know I could use some help getting that room organized.

Equipment	# of items	Location
Propane heater	2	town hall
Pop up canopy	3	Town Hall
Masks (N95 and other)	10000	town hall
Jobz Alcohol Wipes	6825	Town Hall
Face Shield W/ headband (208	Town Hall
Handstand Hand Sanitizer	64 gallons	Town Hall
Bioclean Disposable Wipes	1500	Town Hall
Eye Goggles	410	Town Hall
Nirtile Gloves	2800	Town Hall
Disposable Gowns	178	Town Hall
Medical Screens	12	town hall

Jason M Main USN RET.
Director of Emergency Management
Town of Leicester
3 Paxton st
Leicester, MA 01524
508-892-7022 ext 1106
[REDACTED]

From: [Genereux, David](#)
Subject: FW: Infrastructure Funding--New Source Approval Study
Date: Wednesday, July 28, 2021 1:19:56 PM

All,

See below. This is the proposed scope of work on the project application for Moose Hill.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mark Thompson <MThompson@kleinfelder.com>
Sent: Wednesday, July 28, 2021 9:52 AM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

As was the case with the "One Stop" grant application submitted in early June, the purpose of the funding application is to fund the planning and permitting associated with designating the Moose Hill Reservoir as a Class A drinking water supply. The final product of the project would be a report that would include the following major components:

- Determines the "firm yield" of the reservoir.
- Estimates the cost to establish a water treatment plant and associated facilities.
- Provides the technical basis for design for the water treatment facility.
- Addresses DEP's requirements for designating the Moose Hill Reservoir as a Class A drinking water supply.
- Identifies all necessary permits, including a permitting schedule.

Mark J. Thompson, P.E.
Kleinfelder


From: Genereux, David <genereuxd@leicesterma.org>
Sent: Wednesday, July 28, 2021 8:41 AM
To: Mark Thompson <MThompson@kleinfelder.com>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

External Email

Hi Mark,

Sorry for not being clear. My question is, what would the actual project be?

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mark Thompson <MThompson@kleinfelder.com>
Sent: Wednesday, July 28, 2021 8:13 AM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

David—the DEP SRF funding is typically a 0 to 2% low interest loan with a small grant (<10%).

HOWEVER, the plan is that the state and federal infrastructure funding will be distributed to the projects on the SRF list. That's why we're advising our clients to get their projects on it. It's currently unknown what the grant % will be but the hope is that it will be significant.

Mark J. Thompson, P.E.
Kleinfelder


From: Genereux, David <genereuxd@leicesterma.org>
Sent: Tuesday, July 27, 2021 5:23 PM
To: Mark Thompson <MThompson@kleinfelder.com>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

External Email

Hi Mark,

What do part of the project are you anticipating the grant will cover?

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mark Thompson <MThompson@kleinfelder.com>
Sent: Tuesday, July 27, 2021 4:23 PM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

OK, let me know when it's decided.

From: Genereux, David <genereuxd@leicesterma.org>
Sent: Tuesday, July 27, 2021 4:20 PM
To: Mark Thompson <MThompson@kleinfelder.com>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

External Email

Hi Mark,

Depending on the Board's vote, it would be me or the Chair.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mark Thompson <MThompson@kleinfelder.com>
Sent: Tuesday, July 27, 2021 4:19 PM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

David—please confirm you will be the Town's Authorized Representative for filing the funding request.

Mark J. Thompson, P.E.
Kleinfelder


From: Genereux, David <genereuxd@leicesterma.org>
Sent: Tuesday, July 27, 2021 3:59 PM
To: Mark Thompson <MThompson@kleinfelder.com>
Cc: Attorney Michael J. Shivick <attorney.shivick@aol.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: Re: Infrastructure Funding--New Source Approval Study

External Email

Thank you, Mark

David

On Jul 27, 2021, at 3:58 PM, Mark Thompson <MThompson@kleinfelder.com> wrote:

More details on the submittal requirements are provided at this link.

[dwplanpef \(srfmadep.com\)](#)

From: Mark Thompson

Sent: Tuesday, July 27, 2021 3:53 PM

To: Genereux, David <genereuxd@leicesterma.org>; Attorney Michael J. Shivick <attorney.shivick@aol.com>

Cc: Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net

Subject: RE: Infrastructure Funding--New Source Approval Study

David—link below.....Mark

[pefnotice.pdf \(srfmadep.com\)](#)

From: Genereux, David <genereuxd@leicesterma.org>

Sent: Tuesday, July 27, 2021 3:49 PM

To: Attorney Michael J. Shivick <attorney.shivick@aol.com>

Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net

Subject: RE: Infrastructure Funding--New Source Approval Study

External Email

Hi Mark,

Do you have a grant announcement or other information from the Trust regarding this funding opportunity? I would like to place it in the Board packet for next week.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Michael J. Shivick <attorney.shivick@aol.com>
Sent: Tuesday, July 27, 2021 11:46 AM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: MThompson@kleinfelder.com; Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: Re: Infrastructure Funding--New Source Approval Study

Ok thank you for notifying the intramunicipal liaison

\

Sincerely,

Michael J. Shivick, Esq.
Attorney at Law
774.262.7281
info@shivicklaw.com
www.shivicklaw.com

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-----Original Message-----

From: Genereux, David <genereuxd@leicesterma.org>
To: Attorney Shivick <attorney.shivick@aol.com>
Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net <fwlyon@verizon.net>
Sent: Tue, Jul 27, 2021 11:36 am
Subject: RE: Infrastructure Funding--New Source Approval Study

Dear Mr. Shivick,

The Moose Hill Water Commission is hereby invited to attend the August 2, 2021 Select Board meeting to discuss this latest grant opportunity, among other items. This will be an in person meeting, which will be broadcast live through LCAC and Go-To-Meeting. The Commission is requested to appear in person, in order to avoid extended remote discussion, which sometimes does not broadcast well. We will post it as a joint meeting, starting at 6:00 PM.

Michelle, please notify the other two members of the Commission, please.

Please contact me with any questions.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Shivick <attorney.shivick@aol.com>
Sent: Sunday, July 25, 2021 10:34 AM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: Re: Infrastructure Funding--New Source Approval Study

Ok thanks - I can't see how you could deny repeatedly saying you had it in writing that DEP would not approve moose hill. You then claimed it was a conversation. You now claim it never happened. Disagree all you want, in my opinion you're bad with truth as it pertains to Moose Hill.

Sincerely,

Michael J. Shivick, Esq.

(From my mobile handset)

On Jul 25, 2021, at 10:28 AM, Genereux, David
<genereuxd@leicesterma.org> wrote:

Mr. Shivick,

I disagree with everything you stated in your email below.

I say again that this is a matter to be decided by the Board. You are free to attend any meeting to take it up with them.

I will get this on the next Board agenda, after the date of the next meeting is set.

David A. Genereux

David A. Genereux

Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Shivick <attorney.shivick@aol.com>
Sent: Saturday, July 24, 2021 9:34 PM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: Re: Infrastructure Funding--New Source Approval Study

You're tenor is inconsistent with the towns legal obligations under c40 s4a and the IMA.

Your attitude toward the project eg "it's a duty old contract" has no basis in fact or law. You seem to believe no one will test you on this and you are wrong.

The plain language of the IMA requires the town to make MH it's goal to develop as a class A water source. Nothing else you mentioned carries through weight.

You have lied repeatedly regarding representations from the DEP and others and have a reputation for being untruthful.

Get it done David, I'm not playing games

Sincerely,

Michael J. Shivick, Esq.

(From my mobile handset)

On Jul 24, 2021, at 7:55 PM, Genereux, David
<genereuxd@leicesterma.org> wrote:

Hello Mark,

It is good to know that there will be no overall cost to the Town for the application.

The Board will take it up, because of the potential commitment

of future resources. We are currently looking at the acquisition of Becker College, an operational override, and the potential recommendations of the water/sewer district study. The Board needs to consider these projects when deciding whether to pursue the development of Moose Hill. We will get it on a future meeting agenda for discussion.

Regards,

Davi Genereux

On Jul 24, 2021, at 10:41 AM, Mark Thompson
<MThompson@kleinfelder.com> wrote:

David—understood. To clarify, applying for the funding does not commit the Town to anything, it just gets the project the potential opportunity to be funded which otherwise is lost.

We don't propose to develop/sign a formal contract for 2 reasons:

1. No money is involved.
2. There isn't enough time to negotiate a formal contract.

We (and the Town?) would need at least two weeks to submit the application. So, please provide direction by Thursday August 5th. The Town also has the option to develop the submittal itself. If you decide to go in that direction (like the previous grant application) we are prepared to support that effort.

Mark J. Thompson, P.E.



From: Genereux, David
<genereuxd@leicesterma.org>
Sent: Saturday, July 24, 2021 10:27 AM
To: Mark Thompson
<MThompson@kleinfelder.com>; Attorney
Michael J. Shivick <attorney.shivick@aol.com>
Cc: Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source
Approval Study

External Email

Hi Mark,

There would be two things that would need to be clarified:

1. That there would be a contract that would clearly state that there is no cost to the town, and
2. That the Board wishes to go in this direction. It is the purview of the Board to determine where the permitting and Design of Moose Hill ranks among the other priorities in the Town, as at some point, there will have to be a significant investment of town funds and resources into that effort. There needs to be a larger conversation regarding this.

Based on the second point, and the fact that such a conversation needs to be held by all board members in a public session, I would say that we must wait for such a session to be convened.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mark Thompson
<MThompson@kleinfelder.com>
Sent: Saturday, July 24, 2021 10:17 AM
To: Genereux, David
<genereuxd@leicesterma.org>; Attorney Michael J. Shivick <attorney.shivick@aol.com>
Cc: Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

Since it will take a while to put this together is it possible to get an informal "sense of the Board" as to whether or not they are in favor of submitting the funding application at no cost to the Town? The more time we have the better.

Mark J. Thompson, P.E.
Kleinfelder


From: Genereux, David
<genereuxd@leicesterma.org>
Sent: Friday, July 23, 2021 4:49 PM
To: Attorney Michael J. Shivick
<attorney.shivick@aol.com>
Cc: Buck, Michelle <BuckM@leicesterma.org>;
Mark Thompson
<MThompson@kleinfelder.com>; fwlyon@verizon.net
Subject: FW: Infrastructure Funding--New
Source Approval Study

External Email

Dear Mr. Shivick,

Submissions such as these do need Board approval. I would believe that we will have another meeting ahead of the 16th to discuss this matter. I have copied the Board on this email. I will let you know.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Michael J. Shivick
<attorney.shivick@aol.com>
Sent: Friday, July 23, 2021 3:48 PM
To: Genereux, David
<genereuxd@leicesterma.org>
Cc: mthompson@kleinfelder.com; fwlyon@verizon.net; Buck, Michelle <BuckM@leicesterma.org>
Subject: Fwd: Infrastructure Funding--New
Source Approval Study

Mr Genereux,

Attached and below please find an opportunity to obtain substantial funding for the Moose Hill Reservoir Project.

Time is of the essence and waiting until the 8/16 SB meeting would be preclusive of submitting an application.

Mr. Thompson has volunteered to engage in certain services to assist the town, per the below.

Please advise - as this probably does not need express approval from SB to apply since its operational.

Sincerely,

Michael J. Shivick, Esq.
Attorney at Law
774.262.7281
info@shivicklaw.com
www.shivicklaw.com

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-----Original Message-----

From: Mark Thompson
<MThompson@kleinfelder.com>
To: Michael J. Shivick
<attorney.shivick@aol.com>
Cc: Kirsten Ryan <KRyan@kleinfelder.com>;
Tyler Bernier <TBernier@kleinfelder.com>
Sent: Fri, Jul 23, 2021 8:39 am
Subject: Infrastructure Funding--New Source Approval Study

Mike—the below was in yesterday's paper. Since the funding will be funneled through the Clean Water Trust the project has to be on the **DEP SRF priority list** to get funded. To get on the list a Project Evaluation Form (PEF) has to be developed and **submitted by 8/20**. We could (at no cost to the Town) apply to get the project on the **DEP SRF priority list**. We would cover the development cost in anticipation of the project possibly getting implemented. See attached example PEF. We would need the Town's help. If you're interested let me know.

"Roughly \$400 million would go toward infrastructure, including projects to cap combined sewer outfalls that now spew untreated sewage into the Merrimack River and other bodies of water. Other work would aim to remove PFAS "forever chemicals" from drinking water supplies.

The money would go to cities and towns through the state's Clean Water Trust Fund, which offers zero-interest loans or, in some cases, loan forgiveness.

Mark J. Thompson, P.E.
Kleinfelder



From: [Genereux, David](#)
Subject: FW: Infrastructure Funding--New Source Approval Study
Date: Wednesday, July 28, 2021 7:52:09 AM

All,

See string below regarding the request that the Moose Hill Water Commission physically attend Monday night's meeting.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Genereux, David
Sent: Wednesday, July 28, 2021 7:50 AM
To: 'Attorney Shivick' <attorney.shivick@aol.com>
Subject: RE: Infrastructure Funding--New Source Approval Study

I will let him know.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Shivick <attorney.shivick@aol.com>
Sent: Wednesday, July 28, 2021 7:47 AM
To: Genereux, David <genereuxd@leicesterma.org>

Subject: Re: Infrastructure Funding--New Source Approval Study

Rick knows, make sure you inform him of my correspondence. If he wants to meet and discuss as requested previously I remain amenable.

I've already made arrangements for one member to attend, to satisfy the chairs request. All other attendees will likely be remote due to time constraints and the resurgence of the Covid variant among the unvaccinated, which even vaccinated people can carry to the unvaccinated.

Sincerely,

Michael J. Shivick, Esq.

(From my mobile handset)

On Jul 28, 2021, at 7:24 AM, Genereux, David <genereuxd@leicesterma.org> wrote:

I have no idea what you are speaking to. At the last w/s meeting, one of your members kept interrupting the speakers because he was remote and couldn't see or hear the prompts as to when to speak. It will be very difficult to interact with three remote Board members to have a productive discussion.

That's the reason for the request. Let me know your decision and I will pass it on.

Sent using OWA for iPhone

From: Attorney Shivick <attorney.shivick@aol.com>

Sent: Wednesday, July 28, 2021 7:14:26 AM

To: Genereux, David

Subject: Re: Infrastructure Funding--New Source Approval Study

You tell Rick anatanavica all I remember is him using his position as 13 year olds baseball coach to have his kid play 6/7 innings a game and make me ride the pine. Ain't happening this time, little man. I'd be surprised if you read at a 12th grade level, which I did in 5th grade. I am right here.

Sincerely,

Michael J. Shivick, Esq.

(From my mobile handset)

On Jul 28, 2021, at 6:46 AM, Genereux, David
<genereuxd@leicesterma.org> wrote:

The Chair requested the Commission's presence at the meeting in order to ensure that the conversation flows well and can be heard by the audience.

Sent using OWA for iPhone

From: Attorney Michael J. Shivick <attorney.shivick@aol.com>
Sent: Tuesday, July 27, 2021 7:35:49 PM
To: Buck, Michelle; Genereux, David
Subject: Re: Infrastructure Funding--New Source Approval Study

it looks like others are allowed to attend remotely, thus it may be an equal protection violation to preclude some but not others from engaging remotely. The law only requires the body members to be present in person, not attendees, if I read it correctly - and our commission is authorized by law to meet remotely as the body through April 1, 2022...

Sincerely,

Michael J. Shivick, Esq.
Attorney at Law
774.262.7281
info@shivicklaw.com
www.shivicklaw.com

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Reserved.

-----Original Message-----

From: Buck, Michelle <BuckM@leicesterma.org>
To: twistedchefjay@gmail.com <twistedchefjay@gmail.com>;
stephen.pawlowskis@gmail.com <stephen.pawlowskis@gmail.com>
Cc: Attorney Shivick <attorney.shivick@aol.com>
Sent: Tue, Jul 27, 2021 11:38 am
Subject: FW: Infrastructure Funding--New Source Approval Study

Please see email below.

Michelle R. Buck, AICP
Leicester Town Planner/Director of Inspectional Services
508-892-7007
buckm@leicesterma.org
Please note that Leicester Town Hall is closed on Fridays.

From: Genereux, David <genereuxd@leicesterma.org>
Sent: Tuesday, July 27, 2021 11:37 AM
To: Attorney Shivick <attorney.shivick@aol.com>
Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure Funding--New Source Approval Study

Dear Mr. Shivick,

The Moose Hill Water Commission is hereby invited to attend the **August 2, 2021** Select Board meeting to discuss this latest grant opportunity, among other items. This will be an in person meeting, which will be broadcast live through LCAC and Go-To-Meeting. The Commission is requested to appear in person, in order to avoid extended remote discussion, which sometimes does not broadcast well. We will post it as a joint meeting, **starting at 6:00 PM**.

Michelle, please notify the other two members of the Commission, please.

Please contact me with any questions.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Shivick <attorney.shivick@aol.com>

Sent: Sunday, July 25, 2021 10:34 AM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck, Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: Re: Infrastructure Funding--New Source Approval Study

Ok thanks - I can't see how you could deny repeatedly saying you had it in writing that DEP would not approve moose hill. You then claimed it was a conversation. You now claim it never happened. Disagree all you want, in my opinion you're bad with truth as it pertains to Moose Hill.

Sincerely,

Michael J. Shivick, Esq.

(From my mobile handset)

On Jul 25, 2021, at 10:28 AM, Genereux, David <genereuxd@leicesterma.org> wrote:

Mr. Shivick,

I disagree with everything you stated in your email below.

I say again that this is a matter to be decided by the Board. You are free to attend any meeting to take it up with them.

I will get this on the next Board agenda, after the date of the next meeting is set.

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Attorney Shivick <attorney.shivick@aol.com>
Sent: Saturday, July 24, 2021 9:34 PM
To: Genereux, David <genereuxd@leicesterma.org>
Cc: Mark Thompson <MThompson@kleinfelder.com>; Buck,

Michelle <BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: Re: Infrastructure Funding--New Source Approval Study

You're tenor is inconsistent with the towns legal obligations under c40 s4a and the IMA.

Your attitude toward the project eg "it's a duty old contract" has no basis in fact or law. You seem to believe no one will test you on this and you are wrong.

The plain language of the IMA requires the town to make MH it's goal to develop as a class A water source. Nothing else you mentioned carries through weight.

You have lied repeatedly regarding representations from the DEP and others and have a reputation for being untruthful.

Get it done David, I'm not playing games

Sincerely,

Michael J. Shivick, Esq.

(From my mobile handset)

On Jul 24, 2021, at 7:55 PM, Genereux, David
<genereuxd@leicesterma.org> wrote:

Hello Mark,

It is good to know that there will be no overall cost to the Town for the application.

The Board will take it up, because of the potential commitment of future resources. We are currently looking at the acquisition of Becker College, an operational override, and the potential recommendations of the water/sewer district study. The Board needs to consider these projects when deciding whether to pursue the development of Moose Hill. We will get it on a future meeting agenda for discussion.

Regards,

Davi Genereux

On Jul 24, 2021, at 10:41 AM, Mark Thompson
<MThompson@kleinfelder.com>
wrote:

David—understood. To clarify, applying for the funding does not commit the Town to anything, it just gets the project the potential opportunity to be funded which otherwise is lost.

We don't propose to develop/sign a formal contract for 2 reasons:

1. No money is involved.
2. There isn't enough time to negotiate a formal contract.

We (and the Town?) would need at least two weeks to submit the application. So, please provide direction by Thursday August 5th. The Town also has the option to develop the submittal itself. If you decide to go in that direction (like the previous grant application) we are prepared to support that effort.

Mark J. Thompson, P.E.



From: Genereux, David
<genereuxd@leicesterma.org>
Sent: Saturday, July 24, 2021
10:27 AM
To: Mark Thompson
<MThompson@kleinfelder.com>;
Attorney Michael J. Shivick
<attorney.shivick@aol.com>
Cc: Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net
Subject: RE: Infrastructure
Funding--New Source Approval
Study

External Email

Hi Mark,

There would be two things that would need to be clarified:

1. That there would be a contract that would clearly state that there is no cost to the town, and
2. That the Board wishes to go in this direction. It is the purview of the Board to determine where the permitting and Design of Moose Hill ranks among the other priorities in the Town, as at some point, there will have to be a significant investment of town funds and resources into that effort. There needs to be a larger conversation regarding this.

Based on the second point, and the fact that such a conversation needs to be held by all board members in a public session, I would say that we must wait for such a session to be convened.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the Secretary of State has determined that email is a public record"

From: Mark Thompson
<MThompson@kleinfelder.com>
Sent: Saturday, July 24, 2021
10:17 AM
To: Genereux, David
<genereuxd@leicesterma.org>;
Attorney Michael J. Shivick
<attorney.shivick@aol.com>

Cc: Buck, Michelle
<BuckM@leicesterma.org>; fwlyon@verizon.net

Subject: RE: Infrastructure
Funding--New Source Approval
Study

Since it will take a while to put this together is it possible to get an informal "sense of the Board" as to whether or not they are in favor of submitting the funding application at no cost to the Town? The more time we have the better.

Mark J. Thompson, P.E.



From: Genereux, David
<genereuxd@leicesterma.org>
Sent: Friday, July 23, 2021 4:49 PM
To: Attorney Michael J. Shivick
<attorney.shivick@aol.com>
Cc: Buck, Michelle
<BuckM@leicesterma.org>; Mark Thompson
<MThompson@kleinfelder.com>; fwlyon@verizon.net
Subject: FW: Infrastructure
Funding--New Source Approval
Study

External Email

Dear Mr. Shivick,

Submissions such as these do need Board approval. I would believe that we will have another meeting ahead of the 16th to discuss this matter. I have copied the Board on this email. I will let you know.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524

Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

"Please remember that the
Secretary of State has determined
that email is a public record"

From: Attorney Michael J. Shivick
<attorney.shivick@aol.com>
Sent: Friday, July 23, 2021 3:48
PM
To: Genereux, David
<genereuxd@leicesterma.org>
Cc: mthompson@kleinfelder.com; fwlyon@verizon.net; Buck, Michelle
<BuckM@leicesterma.org>
Subject: Fwd: Infrastructure
Funding--New Source Approval
Study

Mr Genereux,

Attached and below please find
an opportunity to obtain
substantial funding for the
Moose Hill Reservoir Project.

Time is of the essence and
waiting until the 8/16 SB
meeting would be preclusive of
submitting an application.

Mr. Thompson has volunteered
to engage in certain services to
assist the town, per the below.

Please advise - as this probably
does not need express approval
from SB to apply since its
operational.

Sincerely,

Michael J. Shivick, Esq.
Attorney at Law
774.262.7281
info@shivicklaw.com
www.shivicklaw.com

PRIVACY NOTICE TO RECIPIENT(s):
This message and any attachment
thereto contain information that may

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-----Original Message-----

From: Mark Thompson
<MThompson@kleinfelder.com>
To: Michael J. Shivick
<attorney.shivick@aol.com>
Cc: Kirsten Ryan
<KRyan@kleinfelder.com>; Tyler Bernier
<TBernier@kleinfelder.com>
Sent: Fri, Jul 23, 2021 8:39 am
Subject: Infrastructure Funding--
New Source Approval Study

Mike—the below was in yesterday's paper. Since the funding will be funneled through the Clean Water Trust the project has to be on the **DEP SRF priority list** to get funded. To get on the list a Project Evaluation Form (PEF) has to be developed and **submitted by 8/20**. We could (at no cost to the Town) apply to get the project on the **DEP SRF priority list**. We would cover the development cost in anticipation of the project possibly getting implemented. See attached example PEF. We would need the Town's help. If you're interested let me know.

"Roughly \$400 million would go toward infrastructure, including projects to cap combined

sewer outfalls that now spew untreated sewage into the Merrimack River and other bodies of water. Other work would aim to remove PFAS "forever chemicals" from drinking water supplies.

The money would go to cities and towns through the state's Clean Water Trust Fund, which offers zero-interest loans or, in some cases, loan forgiveness.

Mark J. Thompson, P.E.
Kleinfelder



Town of Leicester

Application for Employment

Instructions: Print clearly in black or blue ink. Complete all sections. Sign and date the form.

APPLICANT INFORMATION

Name: Susan Chivruk

Street Address: _____

City, State, Zip Code _____

Mailing Address (if different): _____

Email Address: _____

How were you referred to the Town of Leicester? Saw posting

EMPLOYMENT POSITIONS

Position(s) for which you are applying: van driver

Are you applying for: ☐ Regular full-time work ☒ Regular part-time work
☐ Temporary work ☐ Shift work

If hired, on what date would you be available for work? ?

Are you on a lay-off and subject to recall? ☐ Yes ☒ No

Can you travel, if the job requires it? ☒ Yes ☐ No

PERSONAL INFORMATION

Have you ever applied to/worked for the Town of Leicester? ☐ Yes ☒ No
If yes, please explain (include date[s]): _____

Are you over the age of 18? (If under 18, hire is subject to verification of minimum legal age.)
☒ Yes ☐ No

If hired, would you be able to present evidence that you can legally work in the United States?

☒ Yes ☐ No

Are you able to perform the essential functions of the job for which you are applying, either with/without reasonable accommodation? (See job description.) ☒ Yes ☐ No

Provide any additional job-related information you would like to have considered.

40 yrs of exp for all ages - Seniors
pediatrics.

EDUCATION

Name and Address of School(s) – Did you Graduate? – Diploma/Degree

Nursing School Halimemex Hospital
"1982"

Skills and Qualifications: Licenses, Training, Apprenticeships, Awards

nursing

Job related training in the United States Military

N/A

EMPLOYMENT HISTORY

Present or Last Position

Employer: Maxim HomeCare agency

Address: _____

Supervisor: Bob McNamara

Phone: [REDACTED] Email: _____

Position Title: RN Dates Employed: 10 yrs.

Responsibilities: home care

Salary: _____ Reason for Leaving: still per diem employed.

Previous Position(s):

Employer: _____

Address: _____

Supervisor: _____

Phone: _____ Email: _____

Position Title: _____ Dates Employed: _____

Responsibilities: _____

Salary: _____ Reason for Leaving: _____

Employer: _____

Address: _____

Supervisor: _____

Phone: _____ Email: _____

Position Title: _____ Dates Employed: _____

Responsibilities: _____

Salary: _____ Reason for Leaving: _____

Include resume for additional work history.

May we contact your present employer?

☒ Yes

☐ No

REFERENCES

Please provide the names, addresses, telephone numbers, email addresses (if available) of three references who are neither related to you nor previous employers.

1. Marilyn Ravina - friend
[REDACTED]

2. Alanna McCarthy - friend neighbor
[REDACTED]

3. Kerri Schiebler - friend neighbor
[REDACTED]

The Town of Leicester does not discriminate in hiring or employment on the basis of race, color, religious creed, national origin, sex, ancestry, sexual orientation, or on the basis of age or disability, as defined by law. No question on this application is intended to secure information to be used for such discrimination. This application will be given every consideration, but its receipt does not imply that the applicant will be employed.

It is unlawful in Massachusetts to require or administer a lie detector test as a condition of employment or continued employment. An employer who violates this law shall be subject to criminal penalties and civil liabilities.

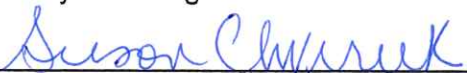
Applicant's Statement *(Please read carefully before signing.)*

I certify that answers given herein are true and complete to the best of my knowledge and I understand that any false or misleading answers or any omission or concealment of facts will disqualify me from consideration for employment or may result in my immediate discharge.

I hereby understand and acknowledge that unless otherwise defined by applicable law or collective bargaining agreement, any employee relationship with the Town of Leicester is of an "at will" nature and that no employment contract rights have been created. I understand and agree that this means the employee may resign at any time, for any reason, with or without advance notice and the employer may discharge the employee at any time, with or without cause and with or without advance notice. It is further understood that this "at will" employment relationship may not be changed by any written document or by conduct unless such change is specifically acknowledged in writing by an authorized executive of the Town of Leicester.

My purpose in filling out this application is to obtain the job for which I am applying, and I am available and willing to accept the position if it is offered to me.

I understand also, that I am required to abide by all rules and regulations of the employer, which may be changed without notice at the discretion of the Town.


Signature of Applicant

7/19/21
Date

For Personnel Department Use Only

Arrange Interview: ☐ Yes ☐ No

Remarks: _____

Employed: ☐ Yes ☐ No Date of Employment: _____

Job Title: _____ Department: _____

Hourly Rate/Salary: _____



HARVEST FAIR 2021

July 16, 2021

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

Dear Board Members,

We are now involved in planning our Harvest Fair 2021. In the spirit of the Fair and community involvement, the Harvest Fair Committee is sponsoring several food related competitions. These competitions need to be judged. The Committee would like to invite one of you to act as a judge..

The Fair will take place on Saturday, September 18, 2021. Judging will take place from 8 a.m. to approximately 10 a.m. inside the Town Hall. Exhibitors will have brought their items in, between 4 p.m. and 7 p.m. the night before so everything should be in place for you to begin this fun time – tasting all these wonderful goodies!!!

We would appreciate your response via email or by phone call. The Committee will be in contact with you closer to the Fair date. For any questions please contact myself at (508)892-3321 or Sharon Nist or Kurt Parliament at (508)892-4119.

Please email me at: judy_ivel@yahoo.com

Sincerely,

Judith C. Ivel
Harvest Fair Committee
130 Pleasant Street
Leicester, MA 01524



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

July 29, 2021

To: Select Board
From: David Genereux, Town Administrator

RE: Becker Open Houses

In preparation for the Town's vote on the acquisition of Becker College's Leicester campus, two dates have been set to open the campus for public viewing. These "Open Houses" will take place on August 10th and September 7th from 5:00 to 7:00 P.M.

Town vehicles from the Fire, Police and Highway Departments will be on display, as well as vehicles and equipment from the Massachusetts Emergency Management Agency (MEMA), including their Emergency Operations Communications vehicle, and other state agencies and non-profits. The Campus Center with its stunning views of the recently resurfaced turf field will be open to the public during these events. We are also looking to offer food and ice cream for purchase.

Everyone is welcome to attend to view the campus and enjoy an evening out with family and friends.

The Becker Acquisition Special Town Meeting will take place on September 14, 2021 in the Middle School Gym. The acquisition also requires holding a special election to approve the debt exclusion necessary to complete the purchase. This special election will take place on September 21st from 12:00 P.M. to 8:00 P.M. in the Leicester Town Hall Gym. Approval of this acquisition at both the special election and special town meeting is required.

Please contact the Town Administrator's office at 508-892-7077 with any questions.

JAZZMAN INC. DBA/ERIC'S LA PATISSERIE

(508) 864-1665
ericscafeworcester@live.com

446 Main St.
Worcester, MA
01608

July 29, 2021

Town Administration
3 Washburn Square
Leicester, MA 01524

David & Kristen,

I would first like to thank you for meeting with me on Monday at the town hall and for taking the time to show me the Becker College kitchen facility. After seeing the space and considering the proximity to my home, I would like to pursue this facility as the new home base for the catering aspect of my company.

To give you a short summary of what we do, Eric's La Patisserie was established in 1990 as a vibrant café that offers breakfast and lunch specializing in corporate catering. We have been a fixture in downtown Worcester having partnerships with the Worcester Airport, Union Station, Mechanics Hall, the Hanover Theatre, the Ecotarium, and Tower Hill Botanical Garden to name a few.

Until March of last year, we were the go to spot for the downtown workforce. As the café component of our business remains on hold and we continue with our catering accounts, we would like to start a presence in our hometown and we think the kitchen facility at the former Becker College that now sits vacant would be the perfect opportunity to do so. At the moment, we are a completely family run business. The day to day activities would include use of the kitchen space by my wife, my son, and myself, where we would prepare catering orders. Therefore the use of the building would be limited to just three people with no consumer traffic as we are currently delivery only. Looking to the future, we would be open to expanding the location and opening as a café or restaurant for the town as I mentioned we would like to further establish our business close to home.

With that being said, we would like to propose a monthly rental rate of \$750. We also understand the town's intentions to convert the Becker College campus into a new high school and are flexible with the timeline of our occupancy in the facility.

Sincerely,

Eric Jasmin



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

May 10, 2021

TO: SELECT BOARD

FROM: KRISTEN L. FORSBERG
ASSISTANT TO THE TOWN ADMINISTRATOR

SUBJECT: Maple Hill Disc Golf (4) One Day Beer/Wine Permit Request

Steven Dodge, General Manager for Maple Hill Disc Golf, has requested a total of four (4) one day beer and wine licenses on September 2-5, 2021 as follows:

MVP Open Disc Golf Pro Tour event – September 2nd through 5th

- Manager of function: Steve Dodge, [REDACTED]
- Name and address of the facility: Maple Hill Disc Golf, 132 Marshall St., Leicester, MA 01524
- [REDACTED]
- Address of license location: Maple Hill Disc Golf, 132 Marshall St., Leicester, MA 01524
- Description of premises: Maple Hill Disc Golf course
- Date of function: 9/2/2021 - 9/5/2021
- Hours of operation: 11 AM - 9 PM each day
- Activity is for-profit
- A certificate of insurance will be provided.
- Name of business providing alcohol (beer only): TBD
- Address of business: TBD

An additional item to discuss is parking at this event. Presuming covid restrictions are lifted, the MVP Open will be a fairly large spectator event, drawing thousands of people to the area. Disc golf has grown dramatically in the past two years and we expect an even larger crowd in 2021.

After the 2019 MVP Open event, it was reported to me that spectators parked on both sides of Mulberry Street making it difficult or impossible for emergency vehicles to get by. I would like to work with the town to develop a parking plan. If the parking plan utilizes the street, we would like to make sure that emergency vehicle access is maintained as well as spectator safety is maximized.

Some useful numbers: The tournament proper is from Friday 9/3 to Sunday 9/5

- We anticipate 770 spectators, 50 staff, and 180 players per day
- On average 2.3 people are in each car
- We can park 350 cars on the farm

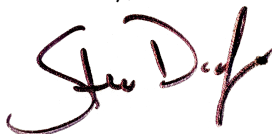
These numbers lead to 805 of the 1000 attendees parked on the farm. If space permitted, we would like to utilize an additional 85 parking spots for the 195 additional people we anticipate not being able to park on the farm.

Solutions that we have tried:

- Sell a preset number of parking tickets. Without a parking ticket, mandate people get dropped off. This would artificially limit the number of spectators, which would hurt the event, its economic impact, and its potential for hosting a pro tour event going forward.
- Encourage carpooling by allocating good parking spots to carpoolers or raising parking prices. We have raised parking prices to \$20. Anything higher feels like too much. We will continue to encourage carpooling but people are people and this can only work so much.
- Find off-site parking and provide van service/Uber to shuttle people (airport or town hall?). We attempted this in 2019 and shuttle service pricing was prohibitive. We are open to any assistance or ideas towards making this feasible.
- Allow parking on one side of Mulberry St, which will cause a hundred plus people to be walking along the sides of Marshall St to the event.
- Close one direction of traffic on Marshall St from Maple Hill to Paxton St. I would like to investigate this possibility and see what would need to be done and what ways there are to mitigate negative impacts to others.

The MVP Open is reaching a limit to its growth and just the time when the sport of disc golf is reaching the mainstream public. We have an opportunity to keep Leicester as one of the most visited disc golf spots in the world and keeping the tournament viable is one of the foundational pieces. I would like to find a reasonable parking solution so that the Disc Golf Pro Tour sees that Leicester can host an event of this status. I am open to creative ideas and to collaborating with the town to grow the event and its economic impact on the area.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven Dodge", with a stylized flourish at the end.

Steven Dodge
MVP Open Tournament Director
Maple Hill Disc Golf General Manager

From: [Ken Antanavica](#)
To: [Forsberg, Kristen](#)
Cc: [Genereux, David](#)
Subject: RE: Maple Hill disc golf event parking
Date: Wednesday, July 14, 2021 11:02:41 AM

Hello Kristen:

Sgt Samia and I went to the site and reviewed that proposed area for the alcohol sales and it appears to be suitable.

We do have a signed contract for detail officers. I will have to work out the logistics of the amount of officers with Steve. The parking plans have changed and they are not using the airport but have expanded the on site parking.

Steve Dodge indicated that he intends to hire and company to do all of the alcohol sales and distribution so I recommend the town be provided all necessary insurance bonds and all contact information for the vendor they select for this event. If the board issues a license it could have contingencies for the vendor information and insurance.

The area is going to be congested, we should consider sending out a code red notice just to prewarn citizens of a possible slow traffic situation.

Thank You

*Chief Kenneth M Antanavica
Leicester Police Department
90 S. Main St.
Leicester, Ma 01524
(508) 892-7010 ext 2010
Fax (508) 892-7012*

From: Steven Dodge <dodge22042@gmail.com>
Sent: Saturday, July 10, 2021 9:23 AM
To: Ken Antanavica <antanavicak@leicesterpd.org>
Cc: Genereux, David <genereuxd@leicesterma.org>
Subject: Re: Maple Hill disc golf event parking

Hi Chief Antanavica,

Thank you for resending this. Here is the filled-out PDF for your records.

Regarding parking, we have figured out that we are going to let everyone in without checking their

parking pass info to keep traffic moving off the street. We will verify their parking info after they park. Additionally, we will have signage and I have posted this on the event details and in the email confirmation.:

Parking: There is no on-street parking. Cars parked on the street will be towed. Please coordinate a ride to drop you off or secure a parking spot. Day of parking fee: \$40. Please secure your parking ticket prior to the event.

Thanks for working with me to make a quality plan for this year. Here's hoping the farm, the town, and the course all see positives coming from this event.

Steve Dodge
Maple Hill Disc Golf

On Thu, Jul 8, 2021 at 12:30 PM Ken Antanavica <antanavicak@leicesterpd.org> wrote:

Hi Steve:

The Evenbrite page looks great and sales look brisk. Along with your staff posting the street with our no parking signs, additional signage at both ends "Warning - event ahead, Slow Traffic" I want to see two Officers on for each day 9a-4p. Patrols will assist as needed but we cannot dedicate patrols to this event. If we do not get a handle on the traffic and parking situation out of the gate we could block the street very quickly. Please review the detail contract, if things go smoothly you can cancel if warranted but getting Officers lined up for a holiday weekend can be challenging.

We have not received this years detail agreement yet, please note the cancelation policy has changed.

Thank You

*Chief Kenneth M Antanavica
Leicester Police Department
90 S. Main St.
Leicester, Ma 01524
(508) 892-7010 ext 2010
Fax (508) 892-7012*

From: Steven Dodge <dodge22042@gmail.com>
Sent: Friday, May 21, 2021 8:49 AM
To: Ken Antanavica <antanavicak@leicesterpd.org>
Subject: Re: Maple Hill disc golf event parking

It is included in the Eventbrite page as well as all of the email confirmations:

<https://www.eventbrite.com/e/2021-mvp-open-at-maple-hill-tickets-138146914139>

Steve

On Fri, May 21, 2021 at 8:14 AM Ken Antanavica <antanavica@leicesterpd.org> wrote:

We will bill you after the event. I want to readdress the staffing level as we get closer to the event to get a good handle on how this will work out. I do want to see what the parking situation will look like. When you have a proof of what the tickets will look like would you send a copy along, I do want to make sure NO STREET PARKING is put at the forefront.

Thank you

From: Steven Dodge <dodge22042@gmail.com>
Sent: Friday, May 21, 2021 7:51 AM
To: Ken Antanavica <antanavica@leicesterpd.org>
Subject: Re: Maple Hill disc golf event parking

Thank you Chief,

I think we should have one officer with the parked cruiser, Friday and Saturday from 9am to 4pm. My guess is that this will be fine for Sunday, but I'd like the ability to adjust to two if we think it is needed. My two questions:

1. Does that sound agreeable to you?
2. Is this a prepay contact or do you bill me after the final hours are determined?

Steve

On Fri, May 21, 2021, 7:21 AM Ken Antanavica <antanavica@leicesterpd.org> wrote:

Good morning Steve:

Here is the detail contract as promised. I will not have a problem with your permits as long as plans are in place as discussed. This will be a very exciting event and I am sure it will go smoothly.

Ken Antanavica

From: Steven Dodge <dodge22042@gmail.com>
Sent: Tuesday, May 18, 2021 10:09 AM
To: Ken Antanavica <antanavica@leicesterpd.org>
Subject: Re: Maple Hill disc golf event parking

Hello Chief Antanavica,

I will be at Maple Hill from 9:00 a.m. to 5:00 p.m. tomorrow. To coordinate the best, why don't you come by anytime tomorrow that works for you.

Thanks,

Steve Dodge
508-736-0811

On Tue, May 18, 2021, 7:57 AM Steven Dodge <dodge22042@gmail.com> wrote:

Hello Chief Antanavica,

Thanks for the initial call yesterday. I've done some investigation and, in addition to increasing parking on the farm, it appears that we will be able to create an UberEvent or Lyft Event and ensure drivers are available.

If we are able to park at the airport, this will be an easy, insured, and affordable solution that I will be able to subsidize.

I see three options for each attendee:

- park on the farm (limited number of spaces, must be reserved prior to event)
- park at the airport (comes with pre-paid (by me) ride to/from) - or people could park there and coordinate their own ride to the event
- get dropped off

I am ready to talk anytime before 9:30. This feels like a good and sustainable solution.

Any help with the airport authority as well as discussion of no parking signs on the street and where they should be placed seems like the two items we will need to discuss in more detail.

Thanks for prompting this line of thinking,

Steve Dodge
Maple Hill DG
508-736-0811

**SELECT BOARD MEETING MINUTES
JULY 19, 2021 AT 6:00PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

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 Town Administrator Kristen Forsberg were in attendance.

1. SCHEDULED ITEMS

a. 6:00pm - Consultation with the Advisory Committee

Mr. Genereux noted this meeting was requested by the Advisory Committee at a recent meeting where a reserve fund transfer for an EMS payroll deficit was discussed. Issues discussed included timeliness of receiving reports, COVID funding received and expended, having constructive, not adversarial conversations, meeting more frequently, reserve fund transfer requests going to the Advisory Committee first, letting the Select Board know if the Advisory Committee is not receiving requested information, the role of the Advisory Committee, posting warrants when they are entered, and including Select Board liaisons to the Advisory Committee on email communications.

2. PUBLIC COMMENT PERIOD

Doug Belanger discussed the potential Becker acquisition, including general support for the concept of Becker, the creation of a DPW, the possibility of the override sinking the acquisition and the possibility of using a debt exclusion for contracted services (including building maintenance) for the first few years. Dave Mero agreed with Mr. Belanger's preference for a debt exclusion for contracted services since the Town does not know the entire cost of services upfront. Greg Buteau stated it would be helpful to separate the purchase of Becker from the creation of the DPW in two separate articles so as not to jeopardize the acquisition vote.

3. REPORTS & ANNOUNCEMENTS

a. Student Liaison Reports

This item was passed over.

b. Select Board Reports

The Select Board discussed various topics including senior housing in Town, concerts on the common, Becker acquisition, construction on the common occurring this summer, additional letters of support received for the non-existent Moose Hill/Shaw Pond project, commending Highway on yesterday's storm cleanup, CV Legion baseball league making the playoffs, stepping up to the podium when speaking at meetings and not shouting from the audience, appreciation for Police, Fire and EMS, working on communication, David sending emails to the Board regarding incidents in Town, road washout issues by Marshall Street, not going around roadblocks, inviting the Moose Hill Water Commission to the next Select Board meeting, State MEMA funding for the recent flooding and dumping standing water to limit mosquito growth.

4. RESIGNATIONS & APPOINTMENTS

a. Resignation – Robert Wilson – CDBG Advisory Committee

Motion 071921-4a: A motion was made by Ms. Provencher and seconded by Mr. Duggan to accept the resignation of Robert Wilson from the CDBG Advisory Committee. Motion carried 4:0:1 (Mr. Phillips abstained).

b. Resignation – Assistant to the Town Administrator – Bryan Milward

Motion 071921-4b: A motion was made by Mr. Phillips and seconded by Mr. Shocik to accept the resignation of Bryan Milward from the position of Assistant to the Town Administrator. Motion carried 5:0:0.

c. Appointment – Assistant to the Town Administrator – Janine Cindale Drake

Motion 071921-4c: A motion was made by Mr. Phillips and seconded by Mr. Shocik to appoint Janine Cindale Drake to the position of Assistant to the Town Administrator. Motion carried 5:0:0.

d. Appointment – CDBG Advisory Committee – Select Board Representative

Motion 071921-4d: A motion was made by Allen Phillips and seconded by Mr. Shocik to appoint Dianna Provencher as the Select Board Representative to the CDBG Advisory Committee. Motion carried 5:0:0.

5. OTHER BUSINESS

a. Discuss Becker Override/Debt Exclusion

The potential acquisition of Becker was discussed including:

- Operational costs such as mowing, employees and repairs are not eligible debt exclusion expenses
- The proposed debt exclusion plan includes an additional \$2,070,000 above the acquisition price of \$17,830,000 in order to fund one time property improvement expenses.
- The only way to fund ongoing operational costs is through an override. Operationally, the Town does not have the capacity to maintain the buildings, mow, pay the utilities or the insurance at Becker without an override.
- There are 4 pieces to the override – core personnel, recommended personnel, core utilities and maintenance funding. The override would also allow for the formation of a DPW and maintenance funding for all town buildings.
- If only the debt exclusion passes, it will be the Board's decision whether to execute the purchase.
- Considering an override after the purchase once costs have been determined was discussed. There is no guarantee that an override will be supported later on, however.
- Potential uses for the campus including a decentralized high school campus, preserving historic buildings, obtaining the balance of the common, the turf field for sports, senior and veterans housing were discussed
- The Board discussed only proposing the debt exclusion at this time.

b. Set Special Town Meeting date/time/location for Becker purchase/Override: September 14, 2021 @ 7:00 pm

This item was passed over.

c. Set Special Election date/time/location for Becker purchase/Override: September 21, 2021

This item was passed over.

d. Discuss Town Administrator Performance Review & Vote on Salary Increase

Select Board members discussed the Town Administrator's performance evaluation including challenges caused by changing Chairs annually, good communication within a reasonable amount of time, doing the best with what we have, strong financial management considering constraints on the Town, some questionable hirings, good Select Board relations, operations running very well considering COVID, good bond rating, getting a breakdown

of COVID revenue and expenditures, starting to do exit interviews, improving upon employee relations, developing goals with metrics moving forward, visiting offices more frequently and seeing complaints firsthand, the importance of transparency with the board, put things in writing, and continuing to focus on economic development, visit departments for the day to see what they do.

Motion 07192021-5d: A motion was made by Mr. Shocik and seconded by Mr. Duggan to give the Town Administrator a 2% raise. Motion carried 5:0:0.

e. **Discuss FY22 Town Administrator Goals**

This item was passed over.

6. MINUTES

- a. **July 1, 2021**
- b. **July 12, 2021**
- c. **July 13, 2021**

Motion 071921-6: A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the minutes of July 1, July 12, and July 13, 2021. Motion carried 5:0:0.

Motion 071921-7: A motion was made by Mr. Shocik and seconded by Mr. Phillips at 8:50pm. Motion carried 5:0:0.

SELECT BOARD MEETING MINUTES
JULY 26TH, 2021 AT 6:00PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM

CALL TO ORDER/OPENING

Chairman Antanavica called the meeting to order at 6:00pm. Chair Rick Antanavica, Vice-Chair John Shocik, Second Vice-Chair Herb Duggan Jr., Selectman Dianna Provencher, Selectman Allen Phillips, School Committee members, Finance Advisory Board members, Town Administrator David Genereux and Assistant Town Administrator Kristen Forsberg were in attendance.

1. Discuss Becker College Potential Acquisition, Debt Exclusion and Override

The potential acquisition of Becker was discussed including:

- The proposed \$19.9M debt exclusion.
- Proceeds from the future sale of any properties is required to be used to offset the debt exclusion. This revenue can't be used to create a maintenance fund.
- If approved by the voters in September, the Town would go out for temporary borrowing for approximately 2 years. During this period, the cost to the average home would be approximately \$138 as the Town is only paying interest, not principal.
- Town Counsel will double check with the Dept. of Revenue regarding the possibility of a sunset override.
- The annual cost of insurance is \$52,000 and the estimated cost of electricity alone is \$150,000.
- For now, the Town would only be able to use the football field and would winterize the buildings.
- The school is contributing \$265,000 for the Town to maintain all their buildings.
- The Board would like all buildings inspected for issues.
- School Committee members expressed concerns about funding operating costs, noting the override is for the entire Town, not just the schools.
- The Town will not have authorization to sell assets until the deal is closed. The Town can, however, lease out space.
- Members of the public expressed concerns about seniors being able to afford this tax increase.
- The Board discussed moving forward with just the debt exclusion and transferring funds from free cash to support operating costs for the year. The Board would request authorization from Town Meeting to dispose of surplus property and may come back later for a n override.

- a. **Set Special Town Meeting date/time/location for Becker purchase/override: September 14, 2021 @ 7:00pm.**
- b. **Set Special Election date/time/location for Becker purchase/override: September 21, 2021 from 12pm-8pm at the Town Hall Gym.**

Motion 072621-1 (part 1): A motion was made by Mr. Phillips and seconded by Ms. Provencher to set the Special Town Meeting for September 14th, 2021 @ 7:00pm and to include articles regarding property disposition and transfers from free cash at the as-needed at the discretion of the Select Board and to set the Special Election for September 21st, 2021 from 12:00pm-8:00pm in the Town Hall Gym for the Becker Debt Exclusion only. Motion carried 5:0:0.

Motion 072621-1 (part 2): A motion was made by Mr. Philips and seconded by Ms. Provencher to hold the Becker Special Town Meeting in the Middle School Gym. Motion carried 5:0:0

Motion 072621-2: A motion to adjourn was made by Ms. Provencher and seconded by Mr. Antanavica at 7:23pm. Motion carried 5:0:0.