



PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: February 14, 2022

TIME: 6:00pm

LOCATION: Select Board Conference Room, 3 Washburn Sq, Virtual Only to Public

REQUESTED BY: Kristen L. Forsberg, Assistant Town Administrator

*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***

Online: <https://global.gotomeeting.com/join/591796149>

By Phone: (669) 224-3412; Access Code: 591-796-149

CALL TO ORDER/OPENING

1. SCHEDULED ITEMS

- a. 6:00pm - Executive Session, MGL Chapter 30A, Section 21(a)
 - Exception 2 - Negotiations with Nonunion Personnel (Campus Security)
 - Exception 6 - Lease of Real Property (Becker Dormitories)
- b. 7:00pm – Common Victualler License – Dawn Cafe, 310 Pleasant Street
- c. 7:00pm – Games License (Pool Table) – Leicester Country Club, 1430 Main Street

2. PUBLIC COMMENT PERIOD

3. REPORTS & ANNOUNCEMENTS

- a. Student Liaison Reports
- b. Select Board Reports

4. RESIGNATIONS & APPOINTMENTS

- a. Appointment – Library Trustees /Recycling Committee – Special Municipal Employees

5. OTHER BUSINESS

- a. Request to Use Becker Campus for Harvest Fair
- b. Request to Use Open and Out of Code Veterinary Supplies
- c. Establish Bark Park Committee
- d. Potential Uses of FY2021 Free Cash & ARPA funding

6. MINUTES

- a. February 7, 2022

ADJOURN

Proposed Executive Session Motion

Board Member 1

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

- Exception #2 - Negotiations with Nonunion Personnel (Campus Security); and
- Exception #6 - Lease of Real Property (Becker Dormitories)

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 APPLICATION GENERAL LICENSES

Applicant Information

Applicant Name Nicole Andrews

Business Information

Description of Business Soul food Restaurant. That will be serving lunch and dinner only from the hours of 11 AM - 7pm Wed - Sun We will be closed on Mondays & Tuesday.

Business Name Dawu Cafe LLC

Corporation Name (if applicable) _____

Business Address 310 Pleasant St Leicester MA 01524

Mailing Address (if different) _____

Business Phone 508-892-8780 Business Email DawuSoulfood@gmail.com

License(s) Requested (check all that apply)

☒ Common Victualler (\$35)

___ Games (\$35 per game) # _____

___ General Entertainment (\$50)

___ Junk Dealer (\$40)

___ Sunday Entertainment (\$125 Town; \$100 State **separate check made out to Commonwealth of Mass**)

___ Theatre (\$200)

___ Outdoor Business (\$35; including xmas tree sales)

___ Auctioneer (\$50)

___ Temporary Business (\$100/3 days; \$25/per extra day)

___ YOB (\$15)

I certify, under the penalties of perjury, that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Nicole Andrews
Name of Applicant

[Signature]
Signature of Applicant

___ Social Security or FIN _____

___ Name & Title of Corporate Officer (if applicable) _____



Town of Leicester APPLICATION GENERAL LICENSES

Applicant Information

Applicant Name Chuck Bois

Applicant Email _____

Business Information

Description of Business GOLF COURSE, Grill Room

Business Name Leicester Country Club

Corporation Name (if applicable) Leicester Golf Management

Business Address 1430 Main Street

Mailing Address (if different) Box 138, Leicester, MA

Business Phone (508) 892-1390 Business Email CBois@Leicester.com

License(s) Requested (check all that apply)

☐ Common Victualler (\$35)

☒ Games (\$35 per game) # 1

☐ General Entertainment (\$50)

☐ Junk Dealer (\$40)

☐ Sunday Entertainment (\$125 Town; \$100 State **separate check**
made out to Commonwealth of Mass)

☐ Theatre (\$200)

☐ Outdoor Business (\$35; including xmas tree sales)

☐ Auctioneer (\$50)

☐ Temporary Business (\$100/3 days; \$25/per extra day)

☐ BYOB (\$15)

I certify, under the penalties of perjury, that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Chuck Bois
Name of Applicant

[Signature]
Signature of Applicant

Social Security or FIN

President
Name & Title of Corporate Officer (if applicable)

Introduction

My name is Paul Ravina, I am a Town resident and I am also an unpaid Town employee by virtue of the fact that I am a Recycling Volunteer and a Library Trustee.

Both of these are unpaid positions, but both these positions make me a Town employee under the Conflict of Interest Law.

Who are Town Employees?

- ”Anyone performing services for a city or town or holding a municipal position, **whether paid or unpaid**, including full- and part-time municipal employees, elected officials, **volunteers**, and consultants, is a municipal employee under the conflict of interest law.”
- Source: “Summary of the Conflict of Interest Law for Municipal Employees” that was emailed by the Town Clerk on 1/18/22 at 3:42 pm

Two Requests to Select Board

1. The Library Board of Trustees has voted **unanimously** to request that the position of Library Trustee be designated as a “special municipal employee”.
2. As a recycling volunteer, I am also requesting designation of “Recycling Volunteer” as a “special municipal employee”.

Authority to Act

The Select Board has the authority to designate certain Town positions as “**special municipal employees**”

Source: “Summary of the Conflict of Interest Law for Municipal Employees” that was emailed by the Town Clerk on 1/18/22 at 3:42 pm

Precedent: What Has Leicester Done?

- The Select Board previously designated a number of other positions as “special municipal employees”, including the following:
 - Board of Health (Select Board vote 1/12/09)
 - Planning Board (Select Board vote 1/12/09)
 - Conservation Commission (Select Board vote 12/14/09)

Precedent: What have other Towns done?

- Every City and Town that abuts Leicester has designated the position of Library Trustee as a “special municipal employee”

Source: State Ethics Commission email

Eligible Positions

- “A position is eligible to be designated as “**special**” if it is **unpaid**, **or** if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. “
- Source: “Summary of the Conflict of Interest Law for Municipal Employees”

Why is this option provided?

- In recognition of the need **not to unduly restrict the ability of town volunteers and part-time employees to earn a living**, the law is less restrictive for “special” municipal employees than for other municipal employees.
- Source: “Summary of the Conflict of Interest Law for Municipal Employees” [my bolding and highlighting]

Example 1: Library Trustee

If a **lawyer** were on the Board of Library Trustees, they could not represent anyone before any other town board.

This is not fair! It discourages people from serving.

Solution: designate the position of Library Trustee as “special municipal employee”. Then the lawyer can represent clients before any town board EXCEPT the Library Board.

Example 2: Recycling Volunteer

- If an architect or engineer is a recycling volunteer, they cannot be hired by the town school department to plan an expansion of a school, even though their recycling position has nothing to do with the school department.

This is not fair! It discourages people from volunteering!

- Solution: designate the position of “Recycling Volunteer” as a “special municipal employee”. Then the architect or engineer can work for any department in Town EXCEPT for the Recycling Center.

Effect of Previous Examples

- The effect of these examples is to limit the type of people who will volunteer their time for the town, if the position is **not** designated as “special”.
- The most talented professionals will be reluctant to lose income because they volunteer for the Town.

Solution

- I am asking that tonight you vote to designate two positions as “special municipal employees”: Library Trustee and Recycling Volunteer.
- At some future meeting, please consider other positions for this designation.

Conclusion: Request for a Motion

Please make a motion to designate the position of Library Trustee and the position of Recycling Volunteer as “special municipal employee” positions.

From:
To: Fwd: Request for special employee status for Library Trustees Wednesday,
Cc: January 19, 2022 5:52:24 PM
Subject: [Summary of the Conflict of Interest Law for Municipal Employees \(2022\).pdf](#)
Date: [Self dealing and special status 2022Jan19.docx](#)
Attachments:

fyi: I found a very useful website that describes "special municipal employee" status:

<https://www.mass.gov/service-details/special-municipal-employees-explanation-of-the-conflict-of-interest-law>

I am copying the Town Clerk so she is aware that the Library Board of Trustees is seeking that status. She will have to be notified if that status is granted by the Select Board.

Best regards,
Paul Ravina

----- Forwarded message -----

Dear David,

Previously, the Library Board of Trustees voted unanimously to request "special employee status" from the Select Board. At the Library Trustees meeting held last night I agreed to be present at a BOS meeting to answer any questions about our request to be designated as "special municipal employees". I am not able to come to a BOS in person on Monday evenings but would be able to attend virtually on a Monday. Any other day I could come in person, given enough advance notice.

Not having "special municipal employee" status unduly restricts any other connection a Library Trustee has with the town. For example, if the Town were to convert some Becker dormitories into offices for rent, a Library Trustee would not be able to rent an office there. This would be very unfair since Trustees are not paid by the Town. That's just one example of many I could cite.

I am attaching two documents in connection with this request. The first is the summary of the conflict of interest law just sent around by the Town Clerk recently, and I'm sure you already have a copy. The second is a copy and paste from parts III

(b) and (c) of that summary with the info about special municipal employees highlighted in yellow. I have also **highlighted** and **bolded** anywhere that says

"special" or "special municipal employee".

Please especially note the following section of the document:

"In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees. The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. "

Not designating positions as "special" that are basically volunteer positions for the Town would discourage people from volunteering in the future, because it would "unduly restrict the ability of town volunteers and part-time employees to earn a living ".

Best regards,
Paul Ravina

Summary of the Conflict of Interest Law for Municipal Employees

This summary of the conflict of interest law, General Laws chapter 268A, is intended to help municipal employees understand how that law applies to them. This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. Municipal employees can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division at our website, phone number, and address above. Municipal counsel may also provide advice.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of G.L. c. 268A.

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$10,000 (\$25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

I. Are you a municipal employee for conflict of interest law purposes?

You do not have to be a full-time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full- and part-time municipal employees, elected officials, volunteers, and consultants, is a municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a "key employee" under the contract, meaning the town has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts. Town meeting members and charter commission members are not municipal employees under the conflict of interest law.

II. On-the-job restrictions.

(a) Bribes. Asking for and taking bribes is prohibited. (See Section 2)

A bribe is anything of value corruptly received by a municipal employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal.

Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the municipal employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

(b) Gifts and gratuities. Asking for or accepting a gift because of your official position, or because of something you can do or have done in your official position, is prohibited. (See Sections 3, 23(b)(2), and 26)

Municipal employees may not accept gifts and gratuities valued at \$50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the municipal position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth \$50 or more. A number of smaller gifts together worth \$50 or more may also violate these sections.

Example of violation: A town administrator accepts reduced rental payments from developers.

Example of violation: A developer offers a ski trip to a school district employee who oversees the developer's work for the school district.

Regulatory exemptions. There are situations in which a municipal employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions permitting giving and receiving gifts in these situations. One commonly used exemption permits municipal employees to accept payment of travel-related expenses when doing so advances a public purpose. Another commonly used exemption permits municipal employees to accept payment of costs involved in attendance at educational and training programs. Other exemptions are listed on the Commission's website.

Example where there is no violation: A fire truck manufacturer offers to pay the travel expenses of a fire chief to a trade show where the chief can examine various kinds of fire-fighting equipment that the town may purchase. The chief fills out a disclosure form and obtains prior approval from his appointing authority.

Example where there is no violation: A town treasurer attends a two-day annual school featuring multiple substantive seminars on issues relevant to treasurers. The annual school is

paid for in part by banks that do business with town treasurers. The treasurer is only required to make a disclosure if one of the sponsoring banks has official business before her in the six months before or after the annual school.

(c) Misuse of position. Using your official position to get something you are not entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See Sections 23(b)(2) and 26)

A municipal employee may not use her official position to get something worth \$50 or more that would not be properly available to other similarly situated individuals. Similarly, a municipal employee may not use her official position to get something worth \$50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

Example of violation: A full-time town employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

Example of violation: A city councilor directs subordinates to drive the councilor's wife to and from the grocery store.

Example of violation: A mayor avoids a speeding ticket by asking the police officer who stops him, "Do you know who I am?" and showing his municipal I.D.

(d) Self-dealing and nepotism. Participating as a municipal employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 19)

A municipal employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else.

A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or

reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

Example of violation: A school committee member's wife is a teacher in the town's public schools. The school committee member votes on the budget line item for teachers' salaries.

Example of violation: A member of a town affordable housing committee is also the director of a non-profit housing development corporation. The non-profit makes an application to the committee, and the member/director participates in the discussion.

Example: A planning board member lives next door to property where a developer plans to construct a new building. Because the planning board member owns abutting property, he is presumed to have a financial interest in the matter. He cannot participate unless he provides the State Ethics Commission with an opinion from a qualified independent appraiser that the new construction will not affect his financial interest.

In many cases, where not otherwise required to participate, a municipal employee may comply with the law by simply not participating in the particular matter in which she has a financial interest. She need not give a reason for not participating.

There are several exemptions to this section of the law. An appointed municipal employee may file a written disclosure about the financial interest with his appointing authority, and seek permission to participate notwithstanding the conflict. The appointing authority may grant written permission if she determines that the financial interest in question is not so substantial that it is likely to affect the integrity of his services to the municipality. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.

Example where there is no violation: An appointed member of the town zoning advisory committee, which will review and recommend changes to the town's by-laws with regard to a commercial district, is a partner at a company that owns commercial property in the district. Prior to participating in any committee discussions, the member files a disclosure with the zoning board of appeals that appointed him to his position, and that board gives him a written determination authorizing his participation, despite his company's financial interest. There is no violation.

There is also an exemption for both appointed and elected employees where the employee's task is to address a matter of general policy and the employee's financial interest is shared with a substantial portion (generally 10% or more) of the town's population, such as, for instance, a financial interest in real estate tax rates or municipal utility rates.

Regulatory exemptions. In addition to the statutory exemptions just mentioned, the Commission has created several regulatory exemptions permitting municipal employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. There is

an exemption permitting school committee members to participate in setting school fees that will affect their own children if they make a prior written disclosure. There is an exemption permitting town clerks to perform election-related functions even when they, or their immediate family members, are on the ballot, because clerks' election-related functions are extensively regulated by other laws. There is also an exemption permitting a person serving as a member of a municipal board pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. Other exemptions are listed in the Commission's regulations, available on the Commission's website.

Example where there is no violation: A municipal Shellfish Advisory Board has been created to provide advice to the Board of Selectmen on policy issues related to shellfishing. The Advisory Board is required to have members who are currently commercial fishermen. A board member who is a commercial fisherman may participate in determinations of general policy in which he has a financial interest common to all commercial fishermen, but may not participate in determinations in which he alone has a financial interest, such as the extension of his own individual permits or leases.

(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See Sections 23(b)(4) and 26)

A municipal employee may not present a false or fraudulent claim to his employer for any payment or benefit worth \$50 or more, or cause another person to do so.

Example of violation: A public works director directs his secretary to fill out time sheets to show him as present at work on days when he was skiing.

(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See Section 23(b)(3))

A municipal employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone or that she can be improperly influenced. Section 23(b)(3) requires a municipal employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for a city or town. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a municipal employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

Example where there is no violation: A developer who is the cousin of the chair of the conservation commission has filed an application with the commission. A reasonable person could conclude that the chair might favor her cousin. The chair files a written disclosure with her appointing authority explaining her relationship with her cousin prior to the meeting at which the application will be considered. There is no violation of Sec. 23(b)(3).

(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See Section 23(c))

Municipal employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

III. After-hours restrictions.

(a) Taking a second paid job that conflicts with the duties of your municipal job is prohibited. (See Section 23(b)(1))

A municipal employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her municipal job.

Example: A police officer may not work as a paid private security guard in the town where he serves because the demands of his private employment would conflict with his duties as a police officer.

(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

Example of violation: A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

Example of violation: A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees.

The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

Example: A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

Example: A member who sits as an alternate on the conservation commission is a special municipal employee. Under town by-laws, he only has official responsibility for matters

assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)

A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an “inside track” to further financial opportunities.

Example of violation: Legal counsel to the town housing authority becomes the acting executive director of the authority, and is paid in both positions.

Example of violation: A selectman buys a surplus truck from the town DPW.

Example of violation: A full-time secretary for the board of health wants to have a second paid job working part-time for the town library. She will violate Section 20 unless she can meet the requirements of an exemption.

Example of violation: A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

There are numerous exemptions. A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to special municipal employees. Specific exemptions may cover serving as an unpaid volunteer in a second town position, housing-related benefits, public safety positions, certain elected positions, small towns, and other specific situations. Please call the Ethics Commission’s Legal Division for advice about a specific situation.

IV. After you leave municipal employment. (See Section 18)

(a) Forever ban. After you leave your municipal job, you may never work for anyone other than the municipality on a matter that you worked on as a municipal employee.

If you participated in a matter as a municipal employee, you cannot ever be paid to work on that same matter for anyone other than the municipality, nor may you act for someone else,

whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former municipal employer. The restriction does not prohibit former municipal employees from using the expertise acquired in government service in their subsequent private activities.

Example of violation: A former school department employee works for a contractor under a contract that she helped to draft and oversee for the school department.

(b) One year cooling-off period. For one year after you leave your municipal job you may not participate in any matter over which you had official responsibility during your last two years of public service.

Former municipal employees are barred for one year after they leave municipal employment from personally appearing before any agency of the municipality in connection with matters that were under their authority in their prior municipal positions during the two years before they left.

Example: An assistant town manager negotiates a three-year contract with a company. The town manager who supervised the assistant, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the town in connection with the company's work on the contract for one year after leaving the town.

A former municipal employee who participated as such in general legislation on expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

(c) Partners. Your partners will be subject to restrictions while you serve as a municipal employee and after your municipal service ends.

Partners of municipal employees and former municipal employees are also subject to restrictions under the conflict of interest law. If a municipal employee participated in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the municipality or provide services as an attorney to anyone but the city or town in relation to the matter.

Example: While serving on a city's historic district commission, an architect reviewed an application to get landmark status for a building. His partners at his architecture firm may not prepare and sign plans for the owner of the building or otherwise act on the owner's behalf in relation to the application for landmark status. In addition, because the architect has official responsibility as a commissioner for every matter that comes before the commission, his partners may not communicate with the commission or otherwise act on behalf of any client on any matter that comes before the commission during the time that the architect serves on the commission.

Example: A former town counsel joins a law firm as a partner. Because she litigated a lawsuit for the town, her new partners cannot represent any private clients in the lawsuit for one year after her job with the town ended.

* * * * *

This summary is not intended to be legal advice and, because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. Our website, www.mass.gov/orgs/state-ethics-commission, contains further information about how the law applies in many situations. You can also contact the Commission's Legal Division via our website, by telephone, or by letter. Our contact information is at the top of this document.

Version 7: Revised November 14, 2016.

* * * * *

ACKNOWLEDGMENT OF RECEIPT

I, _____, an employee at _____
(first and last name) (name of municipal dept.)

hereby acknowledge that I received a copy of the summary of the conflict of interest law
for municipal employees, revised November 14, 2016, on _____.
(date)

Municipal employees should complete the acknowledgment of receipt and return it to the individual who provided them with a copy of the summary. Alternatively, municipal employees may send an email acknowledging receipt of the summary to the individual who provided them with a copy of it.

III

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- .
- .

(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

Example of violation: A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

Example of violation: A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees. The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

Example: A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a

client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

Example: A member who sits as an alternate on the conservation commission is a **special municipal employee**. Under town by-laws, he only has official responsibility for matters assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)

A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an “inside track” to further financial opportunities.

Example of violation: Legal counsel to the town housing authority becomes the acting executive director of the authority, and is paid in both positions.

Example of violation: A selectman buys a surplus truck from the town DPW.

Example of violation: A full-time secretary for the board of health wants to have a second paid job working part-time for the town library. She will violate Section 20 unless she can meet the requirements of an exemption.

Example of violation: A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

There are numerous exemptions. A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to **special municipal employees**. Specific exemptions may cover serving as an unpaid volunteer in a second town position, housing-related benefits, public safety positions, certain elected positions, small towns, and other specific situations. Please call the Ethics Commission’s Legal Division for advice about a specific situation.

Forsberg, Kristen

From: Ravina Sql <ravinasql@gmail.com>
Sent: Monday, January 24, 2022 10:22 AM
To: Genereux, David
Cc: Forsberg, Kristen; Hall, Suzanne; Mary Moore; Davis, Debbie
Subject: Materials for Select Board to consider re: Library Trustees as special municipal employees
Attachments: Towns in Worcester where Trustees are special municipal employees.docx; Worcester County towns with Library Trustees as specials.pdf; Leicester special employee list.pdf

Dear David,

Please provide this email and the attached documents to the Select Board for their consideration in making a decision about designating Leicester Public Library Trustees as special municipal employees:

- 1) A list of towns in Worcester County that give Library Trustees that designation, including every single town and city bordering Leicester.
- 2) An email from the State Ethics Commission which provided that list of municipalities.
- 3) A document listing positions in the Town of Leicester which have that designation, including the Board of Health, the Planning Board, and the Conservation Commission.

The Library Board of Trustees has voted unanimously to request this designation from the Select Board, and they have assigned me to answer any questions the Select Board has about this request. I would be happy to be at the meeting where this is considered. However, if that meeting is held on a Monday night I would only be able to attend remotely.

Sincerely,

Paul Ravina
Library Trustee

Municipalities within Worcester County which have designated library trustees as specials, including every municipality that borders Leicester:

1. Ashburnham
2. Athol
3. Auburn
4. Bolton
5. Boylston
6. Brookfield
7. Charlton
8. Clinton
9. Douglas
10. Dudley
11. East Brookfield
12. Grafton
13. Harvard
14. Hopedale
15. Hubbardston
16. Leominster
17. Milford
18. Millbury
19. New Braintree
20. Northborough
21. Oakham
22. Oxford
23. Paxton
24. Petersham
25. Princeton
26. Royalston
27. Rutland
28. Shrewsbury
29. Southboro
30. Spencer
31. Sturbridge
32. Sutton
33. Templeton
34. Warren
35. Webster
36. Westborough
37. West Brookfield
38. Westminster
39. Winchendon
40. Worcester

Source: an email from the State Ethics Board dated January 19, 2022



Ravina Sql <ravinasql@gmail.com>

Wed, Jan 19, 2022 at 2:02 PM

Dear David,

I am on the Leicester Library Board of Trustees and our Board is requesting "special employee status" from our Select Board. I am going to represent our Board at a Select Board meeting about this request.

Would you please send me a list of municipalities where Library Trustees have that status? If that is too big a request, just the ones in Worcester County would suffice.

It is always helpful to cite other towns that have done this. Any additional info you send would be greatly appreciated.

Thank you for your help on this matter.

Sincerely,

Paul Ravina

Thu, Jan 20, 2022 at 6:19 PM

Hi Paul,

The Commission has lists of special municipal employees by municipality but we do not have database to identify which town has a specific position designated as specials. I understand the Commission Public Records Officer Gerry Tuoti will be providing you with our files and you will be able to do a town by town search. For your convenience, I conducted a search of municipalities within Worcester County and identified that the following towns list library trustees as specials.

1. Ashburnham
2. Athol
3. Auburn
4. Bolton
5. Boylston
6. Brookfield
7. Charlton
8. Clinton
9. Douglas
10. Dudley
11. East Brookfield
12. Grafton
13. Harvard
14. Hopedale
15. Hubbardston
16. Leominster
17. Milford
18. Millbury

19. New Braintree
20. Northborough
21. Oakham
22. Oxford
23. Paxton
24. Petersham
25. Princeton
26. Royalston
27. Rutland
28. Shrewsbury
29. Southboro
30. Spencer
31. Sturbridge
32. Sutton
33. Templeton
34. Warren
35. Webster
36. Westborough
37. West Brookfield
38. Westminster
39. Winchendon
40. Worcester

Let me know if you have any questions.

Thank,

David

David Giannotti

Public Education and Communications Division Chief

State Ethics Commission

One Ashburton Place, Room 619

Boston, MA 02108

617-371-9505

email: David.Giannotti@mass.gov

www.mass.gov/orgs/state-ethics-commission

The information contained in this communication, including any attachments, is confidential, is intended for the use of the recipient(s) named above, and may be exempt from public disclosure or subject to the attorney/client or work product privileges. If the reader of this message is not an intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error, please delete it and destroy all copies.

From: Ravina Sql
Sent: Wednesday, January 19, 2022 2:02 PM

To: Giannotti, David (ETH)

Subject: request for info on Special Employee Status

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]



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

RECEIVED
2021 MAR -9 AM 10:10
TOWN CLERK'S OFFICE
LEICESTER, MASS.

March 9, 2021

TO: DAVID GENEREUX, TOWN ADMINISTRATOR

CC: DEBORAH DAVIS, TOWN CLERK
CHRISTOPHER PETRINI, TOWN COUNSEL

FROM: KRISTEN FORSBERG, ASSISTANT TOWN ADMINISTRATOR

RE: SPECIAL MUNICIPAL EMPLOYEES

The following positions have been designated as special municipal employee positions:

- Board of Fire Engineers (Board vote 12/19/02)
- Zoning Board of Appeals (Board vote 6/9/04)
- Conservation Commission (Board vote 12/14/09)
- Planning Board (Board vote 1/12/09)
- Board of Health (Board vote 1/12/09)
- Deputy Fire Chief (Board vote 1/12/09)
- Fire Inspector (Board vote 1/12/09)
- Fire Chief (Board vote 1/12/09)
- On-call Firefighters (Board vote 7/11/12)
- Emergency Management Director (Board Vote 1/5/15)
- EMT Basic (Board vote 3/2/15)
- EMT Paramedic (Board vote 3/2/15)
- EMS Director (Board vote 3/2/15)
- Wiring Inspector (Board vote 10/16/17)
- Alternate Wiring Inspector (Board vote 10/16/17)
- Plumbing Inspector (Board vote 10/16/17)
- Alternate Plumbing Inspector (Board vote 10/16/17)
- Veterans Services Officer (Board vote 09/14/20)
- Treasurer of the Oxford Rochdale Sewer District – expires June 30, 2022 (Board vote 3/8/21)
- Treasurer of the Hillcrest Sewer District – expires June 30, 2022 (Board vote 3/8/21)
- Treasurer of Hillcrest Water District – expires June 30, 2022 (Board vote 3/8/21)
- Commissioner of Leicester Water Supply District- expires June 30, 2022 (Board vote 3/8/21)
- Commissioner of Oxford Rochdale Sewer District—expires June 30, 2022 (Board vote 3/8/21)

From:
To:
Cc:
Subject:
Date:

Dear David,

re: Unanimous Request to the Select Board by the Library Trustees to be designated as Special Municipal Employees.

At the Library Trustees meeting in January, I was asked to represent the Library Trustees at the Select Board meeting where this issue will be considered. I will be attending the Select Board meeting on Feb. 14th remotely, because I will be out of town. I'm not sure if anyone else from the Library will be at the meeting, but they are very welcome.

Please let me know the approximate time when this agenda item will come up.

Please provide the Select Board with the email and attachments I sent you on Monday, Jan 24, at 10:22 AM. That email and its three attachments detailed two facts:

1. **Every single municipality bordering our town has designated their Library Trustees as Special Municipal Employees (as per the State Ethics Board);**
2. **The Leicester Select Board previously designated other Boards in Town as Special Municipal Employees, including the Board of Health, the Planning Board, and the Conservation Commission.**

I would be happy to answer any questions the Select Board may have concerning this request, at the meeting scheduled for February 14.

Best regards,
Paul Ravina

On Tue, Feb 1, 2022 at 10:02 AM Hall, Suzanne <HallS@leicesterma.org> wrote:

Hi Paul. Please read the attached emails regarding SME status for the Trustees. If you have any questions, please let me or David know.

Suzanne Hall
Library Director
Leicester Public Library
1136 Main Street
Leicester, MA 01524
(508)892-7020

From: Genereux, David
Sent: Tuesday, February 1, 2022 8:11 AM
To: Mary Moore
Cc: Hall, Suzanne; Forsberg, Kristen
Subject: RE: Special Municipal Employee Designation

Hello Mary,

This request is being moved to the next Select Board meeting, tentatively scheduled for February 14, as we will be short a member on the 7th.

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: Genereux, David
Sent: Tuesday, February 1, 2022 6:55 AM
To: 'Mary Moore' <
Cc: Hall, Suzanne <Halls@leicesterma.org>; Forsberg, Kristen <forsbergk@leicesterma.org>
Subject: Special Municipal Employee Designation

Hello Mary,

I have contacted Town Counsel for an opinion on your request for Special Municipal Employee designation for the Trustees, as these requests are normally items of concern with the Board. There are two responses from Counsel that are copied below. The second email addresses the example that was stated in your letter to the Board.

I have it on the agenda for the Board's February 7th meeting. Please be advised that a Trustee must attend the meeting, either online or in person to speak to the request before the Board if you want them to take action on it. Please advise.

First Email:

The Library Trustees are requesting that the Select Board designate their positions as “special municipal employees” for purposes of the state Conflict of Interest Law. There are several provisions of the Conflict of Interest Law that apply less strictly or differently to employees who serve in a designated “special municipal employee” position. For additional information, please see the Ethics Commission website at the following link:

<https://www.mass.gov/service-details/special-municipal-employees> (last visited Jan. 14, 2022).

For the Select Board to approve designating the Library Trustee position as a special municipal employee position, the position must be:

- unpaid; or
- a part-time position which allows the person holding the position to work at another job during normal working hours; or
- the person holding the position must not have been paid for more than 800 working hours (approximately 20 weeks full-time) for serving in the position during the preceding 365 days.

Since the position is unpaid the Select Board could approve of the designation. It is a policy decision whether they want to approve the designation. The usual policy justification that is made is to encourage people who want to serve the municipality who might otherwise be precluded from doing so or limited in their service because of a conflict. As you know, there are a number of other Town positions that were previously designated.

Second Email

I agree that for the particular circumstance described in the letter requesting the designation, SME status likely would not have any impact on the situation, but it would depend on the specific facts presented. For example, if an individual Trustee wanted to lease space from the Town for their own personal or business reasons, that might implicate G.L. c. 268A, s. 20, which generally prohibits municipal employees from having a financial interest in the same city or town. There are several exemptions available in the text of the statute, several of which only apply to special municipal employees.

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

Forsberg, Kristen

From:
Sent:
To:
Cc:
Subject:
Attachments:

Dear David,

Attached please find the list of special municipal employees for the town of Oxford, which I received from the State Ethics Commission.

I'm also attaching the memo sent in Oxford to request this list to be approved.

I would like to add something for the 2/14 Select Board meeting: in addition to requesting special municipal employee status for the position of Library Trustee, I would also like to request special municipal employee designation for the position of recycling volunteer.

Not having "special municipal status" for these positions limits the type of person who can volunteer to serve the Town in these positions. For example, a lawyer volunteering at the recycling center would not be able to represent any clients in front of any other town boards without that designation being put into effect.

Best regards,
Paul Ravina
Library Trustee and Recycling Volunteer



Town of Oxford

Office of the Town Clerk

325 Main Street

Oxford, MA 01540-1739



Lori A. Kelley, CMMC
Town Clerk

(508) 987-6032 phone
(508) 987-6048 fax
L.kelley@town.oxford.ma.us

February 8, 2006

State Ethics Commission
Attn: Carol Carson
One Ashburton Place, Room 619
Boston, MA 02108-1501

Dear Ms. Carson:

Enclosed please find the report of regular and special municipal employees for the Town of Oxford, which was approved by the Board of Selectmen on February 7, 2006. I apologize for the delay in submitting this report however, there were a number of changes to be made, including a full listing of school department employees, which was not previously included in our last report.

Should you have any questions, please feel free to contact me.

Regards,

Lori A. Kelley, CMMC
Town Clerk

Enc.

RECEIVED
STATE ETHICS COMMISSION
06 FEB 19 AM 11:07

RECEIVED
STATE ETHICS COMMISSION

06 FEB 10 AM 11:07

TOWN OF OXFORD
CONFLICT OF INTEREST
MUNICIPAL EMPLOYEES - REGULAR & SPECIAL

A "special" employee is defined as: 1. an employee that is not paid; or 2. an employee that holds a part-time position that allows them to engage in other employment during normal business hours; or 3. an employee that is not paid by the municipality for more than 800 hours during the preceding 365 days. Also, Selectmen in a town with a population of more than 5,000 cannot be designated as special.

ELECTED

MODERATOR	SPECIAL
BOARD OF SELECTMEN	REGULAR
SCHOOL COMMITTEE	SPECIAL
SOUTHERN WORCESTER COUNTY REGIONAL VOCATIONAL SCHOOL DISTRICT COMMITTEE	SPECIAL
LIBRARY TRUSTEES	SPECIAL
HOUSING AUTHORITY	SPECIAL
TRUSTEES OF THE CHARLES LARNED ENTERTAINMENT FUND	SPECIAL

APPOINTED

ANIMAL CONTROL OFFICER	SPECIAL
ASST. ANIMAL CONTROL OFFICERS	SPECIAL
BOARD OF APPEALS	SPECIAL
ALTERNATES	SPECIAL
BOARD OF ASSESSORS	SPECIAL
ASSESSOR-FULL-TIME	REGULAR
AUCTIONEER AGENT	SPECIAL
BANDSTAND COMMITTEE	SPECIAL
BOARD OF HEALTH	SPECIAL
CLERK	REGULAR
INSPECTOR	REGULAR
HEALTH AGENT-NURSING SERVICES	SPECIAL
INSPECTORS	
ANIMALS, SLAUGHTERING & MILK	SPECIAL
GAS	SPECIAL
MEAT	SPECIAL
PLUMBING	SPECIAL
ASSISTANT PLUMBING	SPECIAL
SEWERAGE	SPECIAL
ASSISTANT SEWERAGE	SPECIAL

RECEIVED
STATE ETHICS COMMISSION

06 FEB 13 AM 11:07

BOARD OF SELECTMEN	REGULAR
CLERK	SPECIAL
HAZARDOUS WASTE COORDINATOR	SPECIAL
TPAG	SPECIAL
BURIAL AGENT	SPECIAL
ASSISTANT BURIAL AGENT	SPECIAL
CABLE ADVISORY COMMITTEE	SPECIAL
CAPITAL PROGRAM COMMITTEE	SPECIAL
ADMINISTRATION LIAISON	SPECIAL
FINANCE LIAISON	SPECIAL
CEMETERY COMMISSIONERS	SPECIAL
CIVIL DEFENSE	
DIRECTOR	SPECIAL
DEPUTY DIRECTOR & ADMINISTRATOR	
RADIOLOGICAL & CHEMICAL EMERGENCY	SPECIAL
ADMINISTRATOR, CIVIL DEFENSE COMMUNICATIONS	
& EMERGENCY PUBLIC INFORMATION PROGRAM	SPECIAL
ASSISTANT ADMINISTRATOR, CIVIL DEFENSE	
COMMUNICATIONS & EMERGENCY PUBLIC	
INFORMATION PROGRAM	SPECIAL
ADMINISTRATOR-WELFARE & SHELTER PROGRAM	SPECIAL
UNDERWATER DIVING TEAM	SPECIAL
CONSERVATION COMMISSION	SPECIAL
CONSTABLES	SPECIAL
COUNCIL ON AGING	SPECIAL
EXECUTIVE DIRECTOR	REGULAR
CULTURAL ARTS COUNCIL	SPECIAL
CUSTODIAN-MEMORIAL HALL	SPECIAL
DEPARTMENT OF PUBLIC WORKS	
DIRECTOR	REGULAR
CEMETERY, FOREMAN	REGULAR
CEMETERY WORKER	REGULAR
HEAVY EQUIPMENT	REGULAR
LIGHT EQUIPMENT	REGULAR
MECHANICS	REGULAR
RECREATION WORKER	REGULAR
SUMMER HELP	SPECIAL
TREE WARDEN	REGULAR
TREE WARDEN AND SUPT. OF INSECT CONTROL	SPECIAL
DEPUTY MODERATOR	SPECIAL
DEVELOPMENT & INDUSTRIAL COMMISSION	SPECIAL
ELECTION OFFICERS	SPECIAL
FIRE/EMS DEPARTMENT	
FIRE CHIEF/EMS DIRECTOR	REGULAR
CIVIL DEFENSE AUXILIARY FIREFIGHTER	SPECIAL

RECEIVED
STATE ETHICS COMMISSION

06 FEB 10 AM 11:07

CIVIL DEFENSE RESCUE SERVICE	SPECIAL
EMT-FULL TIME	REGULAR
EMT-PART TIME	SPECIAL
FIREFIGHTER-FULL TIME	REGULAR
FIREFIGHTER-PART TIME	SPECIAL
FIRE DEPARTMENT CLERK	REGULAR
FIRE ENGINEERS	SPECIAL
FOREST FIRE WARDEN	SPECIAL
FAIR HOUSING COMMITTEE	SPECIAL
FENCE VIEWER	SPECIAL
FIELD DRIVE & POUND KEEPER	SPECIAL
FINANCE COMMITTEE	SPECIAL
FINANCE DIRECTOR	REGULAR
GIS	REGULAR
HISTORICAL COMMISSION	SPECIAL
INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY	SPECIAL
INSPECTOR OF BUILDINGS	SPECIAL
ASSISTANT INSPECTOR OF BUILDINGS	SPECIAL
INSPECTOR OF WIRES	SPECIAL
ASSISTANT INSPECTOR OF WIRES	SPECIAL
JOSLIN PARK REGULATORY COMMITTEE	SPECIAL
MIS	REGULAR
PARKING CLERK	SPECIAL
PART-TIME BOARD CLERKS	SPECIAL
PART-TIME TOWN HALL CLERKS	SPECIAL
PERSONNEL BOARD	SPECIAL
PLANNING BOARD	SPECIAL
DIRECTOR	REGULAR
CMRPC-First Delegate	SPECIAL
CMRPC-Second Delegate	SPECIAL
CMRPC-Alternate Delegate	SPECIAL
POLICE DEPARTMENT	
POLICE CHIEF	REGULAR
CIVIL DEFENSE POLICE OFFICERS	SPECIAL
CIVIL DEFENSE POLICE OFFICERS—restricted to	
RECREATION DUTIES	SPECIAL
CLERK	REGULAR
PERMANENT INTERMITTENT POLICE OFFICERS	SPECIAL
POLICE MATRONS	SPECIAL
POLICE OFFICERS-FULL TIME	REGULAR
POLICE OFFICERS-PART TIME	SPECIAL
RADIO DISPATCHERS-FULL TIME	REGULAR
RADIO DISPATCHERS-PART TIME	SPECIAL
TRAFFIC CONTROLLERS	SPECIAL
TWO-WAY RADIO OPERATORS	REGULAR

SCHOOL DEPARTMENT JOB TITLES

RECEIVED
STATE ETHICS COMMISSION

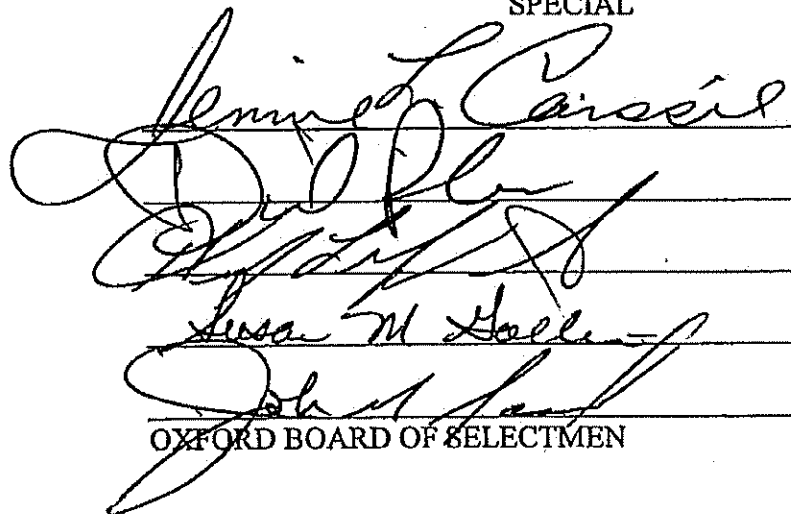
TITLE	REGULAR	SPECIAL
School Superintendent	X	
Business Manager	X	
Technology Coordinator	X	
Assistant Technology Coordinator	X	
Accounts Payable / Budget Specialist	X	
Secretary to the Business Manager	X	
Secretary to the Superintendent	X	
Business Office Clerk	X	
Payroll / Personnel Director	X	
Special Education Director	X	
Food Service Director	X	
Coordinator of Alternative Education	X	
School Principal	X	
Assistant Principal	X	
Team Chair	X	
Part Time Team Chair		X
Therapist	X	
Therapy Assistants	X	
Part Time Therapy Assistant		X
School Psychologist	X	
School Nurse	X	
Teacher	X	
Special Education Teacher	X	
NJROTC Instructor	X	
Substitute Teacher		X
Guidance Counselor	X	
Guidance Secretary	X	
Secretary	X	
General Aide	X	
Instructional Aide	X	
Library Aide	X	
Teachers Aide	X	
Substitute Aide		X
Custodian	X	
Substitute Custodian		X
Crossing Guard		X
Playground Aide		X
Daycare Aide		X
Cafeteria Worker	X	X
Substitute Cafeteria Worker		X
Mall / Food Currier		
Bus Driver	X	
Substitute Bus Driver		

RECEIVED
STATE ETHICS COMMISSION
06 FEB 10 AM 11:07

RECREATION COMMISSION
REGISTRARS OF VOTERS
RIGHT-TO-KNOW COORDINATOR
SCHOOL DEPARTMENT (SEE ATTACHED LIST)
SEALER OF WEIGHTS AND MEASURES
STREET LIGHT COMMITTEE
SUPERINTENDENT OF SEWERS
TOWN ACCOUNTANT/SYSTEMS ADMINISTRATION
TOWN CLERK
ASSISTANT TOWN CLERK
TOWN COLLECTOR
ASSISTANT COLLECTOR
DEPUTY COLLECTOR
TOWN COUNSEL
TOWN ENGINEER
TOWN LIBRARIAN
TOWN MANAGER
SECRETARY
TOWN TREASURER
VETERAN'S SERVICES DIRECTOR
AGENT
VOTING MACHINE CUSTODIAN
WATER STUDY COMMITTEE


SPECIAL
SPECIAL
SPECIAL

SPECIAL
SPECIAL
SPECIAL
REGULAR
REGULAR
REGULAR
REGULAR
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SPECIAL
SPECIAL
SPECIAL


OXFORD BOARD OF SELECTMEN

Date Approved by Board of Selectmen: Feb. 7, 2006

MEMORANDUM

Date: February 3, 2006
To: Dennis A. Power, Town Manager
From: Lori A. Kelley, CMMC, Town Clerk 
Subject: Regular & Special Municipal Employees

Attached please find an updated list of regular and special employees, which the Town is required to file with the Ethics Commission.

Please note that since this list was last reviewed by the Board of Selectmen in 1989, there have been several changes, which have been incorporated into this report. For example, Town Clerk was moved from elected to appointed; we have added a GIS and an MIS position, as well as a Superintendent of Sewers; the Fire/EMS Department is now merged and has a variety of part-time and full-time positions; various departments and positions have now become part of the DPW; various positions under the Police Department were not previously included and have been added; School Department employees were not previously included and should have been; and, there were a few classifications that were incorrect and have now been corrected.

Could you kindly ask the Board of Selectmen to approve the attached list at their next meeting and return it to me so that I can submit it to the Ethics Commission as soon as possible. Should you have any questions, please let me know.

TOWN OF OXFORD
CONFLICT OF INTEREST
MUNICIPAL EMPLOYEES – REGULAR & SPECIAL

A "special" employee is defined as: 1. an employee that is not paid; or 2. an employee that holds a part-time position that allows them to engage in other employment during normal business hours; or 3. an employee that is not paid by the municipality for more than 800 hours during the preceding 365 days. Also, Selectmen in a town with a population of more than 5,000 cannot be designated as special.

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HOUSING AUTHORITY	SPECIAL
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APPOINTED

ANIMAL CONTROL OFFICER	SPECIAL
ASST. ANIMAL CONTROL OFFICERS	SPECIAL
BOARD OF APPEALS	SPECIAL
ALTERNATES	SPECIAL
BOARD OF ASSESSORS	SPECIAL
ASSESSOR-FULL-TIME	REGULAR
AUCTIONEER AGENT	SPECIAL
BANDSTAND COMMITTEE	SPECIAL
BOARD OF HEALTH	SPECIAL
CLERK	REGULAR
INSPECTOR	REGULAR
HEALTH AGENT-NURSING SERVICES	SPECIAL
INSPECTORS	
ANIMALS, SLAUGHTERING & MILK	SPECIAL
GAS	SPECIAL
MEAT	SPECIAL
PLUMBING	SPECIAL
ASSISTANT PLUMBING	SPECIAL
SEWERAGE	SPECIAL
ASSISTANT SEWERAGE	SPECIAL

BOARD OF SELECTMEN

CLERK

HAZARDOUS WASTE COORDINATOR

TPAG

BURIAL AGENT

ASSISTANT BURIAL AGENT

CABLE ADVISORY COMMITTEE

CAPITAL PROGRAM COMMITTEE

ADMINISTRATION LIAISON

FINANCE LIAISON

CEMETERY COMMISSIONERS

CIVIL DEFENSE

DIRECTOR

DEPUTY DIRECTOR & ADMINISTRATOR

RADIOLOGICAL & CHEMICAL EMERGENCY

ADMINISTRATOR, CIVIL DEFENSE COMMUNICATIONS

& EMERGENCY PUBLIC INFORMATION PROGRAM

ASSISTANT ADMINISTRATOR, CIVIL DEFENSE

COMMUNICATIONS & EMERGENCY PUBLIC

INFORMATION PROGRAM

ADMINISTRATOR-WELFARE & SHELTER PROGRAM

UNDERWATER DIVING TEAM

CONSERVATION COMMISSION

CONSTABLES

COUNCIL ON AGING

EXECUTIVE DIRECTOR

CULTURAL ARTS COUNCIL

CUSTODIAN-MEMORIAL HALL

DEPARTMENT OF PUBLIC WORKS

DIRECTOR

CEMETERY, FOREMAN

CEMETERY WORKER

HEAVY EQUIPMENT

LIGHT EQUIPMENT

MECHANICS

RECREATION WORKER

SUMMER HELP

TREE WARDEN

TREE WARDEN AND SUPT. OF INSECT CONTROL

DEPUTY MODERATOR

DEVELOPMENT & INDUSTRIAL COMMISSION

ELECTION OFFICERS

FIRE/EMS DEPARTMENT

FIRE CHIEF/EMS DIRECTOR

CIVIL DEFENSE AUXILIARY FIREFIGHTER

REGULAR

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CIVIL DEFENSE RESCUE SERVICE	SPECIAL
EMT-FULL TIME	REGULAR
EMT-PART TIME	SPECIAL
FIREFIGHTER-FULL TIME	REGULAR
FIREFIGHTER-PART TIME	SPECIAL
FIRE DEPARTMENT CLERK	REGULAR
FIRE ENGINEERS	SPECIAL
FOREST FIRE WARDEN	SPECIAL
FAIR HOUSING COMMITTEE	SPECIAL
FENCE VIEWER	SPECIAL
FIELD DRIVE & POUND KEEPER	SPECIAL
FINANCE COMMITTEE	SPECIAL
FINANCE DIRECTOR	REGULAR
GIS	REGULAR
HISTORICAL COMMISSION	SPECIAL
INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY	SPECIAL
INSPECTOR OF BUILDINGS	SPECIAL
ASSISTANT INSPECTOR OF BUILDINGS	SPECIAL
INSPECTOR OF WIRES	SPECIAL
ASSISTANT INSPECTOR OF WIRES	SPECIAL
JOSLIN PARK REGULATORY COMMITTEE	SPECIAL
MIS	REGULAR
PARKING CLERK	SPECIAL
PART-TIME BOARD CLERKS	SPECIAL
PART-TIME TOWN HALL CLERKS	SPECIAL
PERSONNEL BOARD	SPECIAL
PLANNING BOARD	SPECIAL
DIRECTOR	REGULAR
CMRPC-First Delegate	SPECIAL
CMRPC-Second Delegate	SPECIAL
CMRPC-Alternate Delegate	SPECIAL
POLICE DEPARTMENT	
POLICE CHIEF	REGULAR
CIVIL DEFENSE POLICE OFFICERS	SPECIAL
CIVIL DEFENSE POLICE OFFICERS—restricted to RECREATION DUTIES	
CLERK	SPECIAL
PERMANENT INTERMITTENT POLICE OFFICERS	REGULAR
POLICE MATRONS	SPECIAL
POLICE OFFICERS-FULL TIME	SPECIAL
POLICE OFFICERS-PART TIME	REGULAR
RADIO DISPATCHERS-FULL TIME	SPECIAL
RADIO DISPATCHERS-PART TIME	REGULAR
TRAFFIC CONTROLLERS	SPECIAL
TWO-WAY RADIO OPERATORS	REGULAR

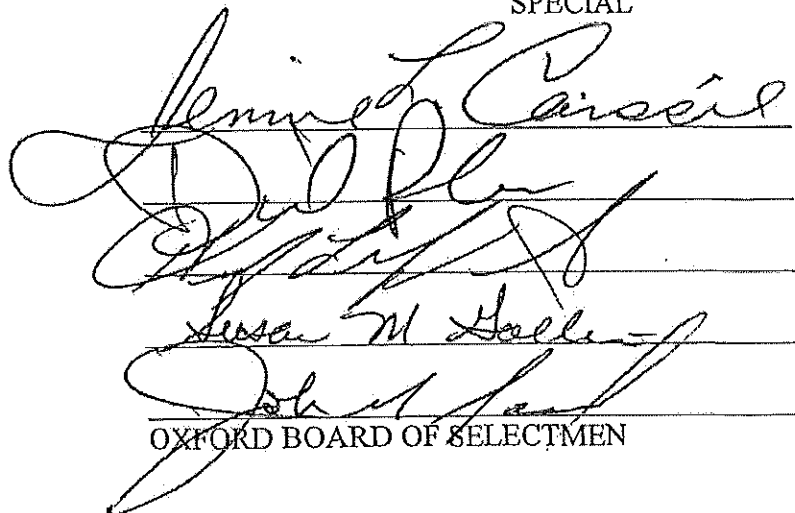
SCHOOL DEPARTMENT JOB TITLES

TITLE	REGULAR	SPECIAL
School Superintendent	X	
Business Manager	X	
Technology Coordinator	X	
Assistant Technology Coordinator	X	
Accounts Payable / Budget Specialist	X	
Secretary to the Business Manager	X	
Secretary to the Superintendent	X	
Business Office Clerk	X	
Payroll / Personnel Director	X	
Special Education Director	X	
Food Service Director	X	
Coordinator of Alternative Education	X	
School Principal	X	
Assistant Principal	X	
Team Chair	X	
Part Time Team Chair		X
Therapist	X	
Therapy Assistants	X	
Part Time Therapy Assistant		X
School Psychologist	X	
School Nurse	X	
Teacher	X	
Special Education Teacher	X	
NJROTC Instructor	X	
Substitute Teacher		X
Guidance Counselor	X	
Guidance Secretary	X	
Secretary	X	
General Aide	X	
Instructional Aide	X	
Library Aide	X	
Teachers Aide	X	
Substitute Aide		X
Custodian	X	
Substitute Custodian		X
Crossing Guard		X
Playground Aide		X
Daycare Aide		X
Cafeteria Worker	X	X
Substitute Cafeteria Worker		X
Mail / Food Currier		
Bus Driver	X	
Substitute Bus Driver		

RECEIVED
 OFFICE OF THE CLERK
 OXFORD MA.
 2 PM 12:54

RECREATION COMMISSION
 REGISTRARS OF VOTERS
 RIGHT-TO-KNOW COORDINATOR
 SCHOOL DEPARTMENT (SEE ATTACHED LIST)
 SEALER OF WEIGHTS AND MEASURES
 STREET LIGHT COMMITTEE
 SUPERINTENDENT OF SEWERS
 TOWN ACCOUNTANT/SYSTEMS ADMINISTRATION
 TOWN CLERK
 ASSISTANT TOWN CLERK
 TOWN COLLECTOR
 ASSISTANT COLLECTOR
 DEPUTY COLLECTOR
 TOWN COUNSEL
 TOWN ENGINEER
 TOWN LIBRARIAN
 TOWN MANAGER
 SECRETARY
 TOWN TREASURER
 VETERAN'S SERVICES DIRECTOR
 AGENT
 VOTING MACHINE CUSTODIAN
 WATER STUDY COMMITTEE

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 OXFORD BOARD OF SELECTMEN

Date Approved by Board of Selectmen: Feb. 7, 2006

From: Stella Richard <richards@lpsma.net>
Sent: Wednesday, January 26, 2022 7:09 PM
To: Janine Drake <DrakeJ@leicesterma.org>
Subject: Memo for Select Board

I would like to formally request that the opened and reboxed supplies located in the back closet of Veterinary clinic classroom consisting of bandaging material, splints, catheters and roll tape, towels and gown materials that can no longer be used for purchase be donated and picked up by Stella Richard for use as teaching materials. In addition, there are some skeletal teaching items of various species, which are currently at Borger Academic Center- i.e.(Equine, bovine and others) be donated to Stella Richard for teaching purposes at Bay Path Vocational Technical High school for their Veterinary/Animal Science program. Please feel free to contact me if you have any questions.

Thank you for your time and consideration in this matter.
Sincerely,
Stella Richard

Please see our [Participation in Online Learning Services Statement](#)
Please see our [Nondiscrimination Statement](#)



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

Bark Park Committee Charge

The Bark Park Committee be responsible for managing all aspects of the dog park known as Bark Park located on the former Becker College campus, including:

- Overseeing the maintenance, cleanup, repairs, rules, complaints, fees (if any), donations and expenditures relative to the Park
- Engaging local businesses, community organizations and non-profits to raise funds for the Park
- Engage local community groups in the upkeep of the Park
- Planning and running activities throughout the year that raise funds via donation for the Park

The Committee shall be comprised of five (5) at-large members appointed by the Select Board.

Rick Antanavica, Chair

John Shocik, Vice Chair

Herb Duggan Jr., 2nd Vice Chair

Dianna Provencher, Member

Allen Phillips, Member



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

February 14, 2022

To: Select Board
From: David Genereux, Town Administrator
RE: ARPA Funding

I am writing to explain changes made to the local share of ARPA funding that was distributed to local governments through the American Rescue Plan Act (ARPA) of 2021. As you know the town is slated to receive a total of \$3,318,170 in funding over the next two fiscal years. We have already received \$1,654,951.19 thus far.

Eligible uses of these funds include:

- Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior to the emergency,
- COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery,
- Premium pay for essential workers,
- Investments in water, sewer, and broadband infrastructure.

Restrictions on the uses of these funds include:

- Funds cannot be used to paydown debt
- Funds cannot be deposited into any pension fund or other savings account.

Up to this point, we had few uses for the funding, as we did not really see a drop in local revenue. However, under the new final rule regarding ARPA funds that was issued in late January, we can use our entire allotment under a standard allowance for revenue loss of up to \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements. What this means is that we can use our entire three plus million-dollar allotment for local expenditure under the revised final rule.

I remain mindful of the issues that we had with the Cares Act, where the rules consistently changed. However, the overall rule change now allows us to use ARPA to use for budgetary and capital purposes. As it is one time funding, I propose that we use the bulk of the funding for capital purposes, while using free cash to eliminate various debt authorizations that we have not permanently borrowed. Those debts are listed below:

- \$317,778 – Feasibility Study (Pre K-8 School)
- \$344,080 – Street work portion of the Fire Station retention pond project
- \$312,755 – Town portion of the Waite Pond dam project

It is unlikely that we will be able to cover all this debt in the Fiscal 2022; depending on other free cash expenses such as the snow and ice deficit, the police station staffing being continued from this year and other potential costs, but using ARPA funds for clearly allowed one-time uses, while putting free cash to retire debt authorizations that are not allowed under ARPA would make the most sense.

Assuming the Board agrees with this strategy, I expect that I will have the ARPA and free cash funding allocated shortly after the Capital Committee reviews the capital plan and ranks the requests.

Please contact me with any questions.

**SELECT BOARD MEETING MINUTES
FEBRUARY 7, 2022 AT 6:00PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chair Antanavica called the meeting to order at 6:01pm. Chair Rick Antanavica, Vice-Chair John Shocik, Second Vice-Chair Herb Duggan Jr., Selectman Allen Phillips, Town Administrator David Genereux and Assistant Town Administrator Kristen Forsberg were in attendance. Selectwoman Dianna Provencher was absent.

1. SCHEDULED ITEMS

- a. **6:00pm - Executive Session, MGL Chapter 30A, Section 21(a):**
 - i. **Exception #2 - Negotiations with Nonunion Personnel (Interim EMS Director, Treasurer/Collector)**
 - ii. **Exception #3 - Strategy with Respect to Collective Bargaining (Police Union Promotion Process)**
 - iii. **Exception #6 - Lease of Real Property (Swan Library & Field Shed)**

Motion 020722-1: A motion was made by Mr. Phillips and seconded by Mr. Shocik to enter into executive session at 6:02pm under MGL Chapter 30A, Section 21(a), Exception #2, for negotiations with nonunion personnel (Interim EMS Director, Treasurer/Collector), Exception #3, to discuss strategy with respect to collective bargaining (Police Union promotion process), and Exception #6, to discuss the lease of real property (Swan Library & Field Shed). The Chair declared that to discuss these matters in open session would compromise the position of the Town. **Roll call: 4:0:0.**

2. PUBLIC COMMENT PERIOD

John Bujak from 30 Rawson Street spoke about use of the Becker gymnasium and difficulty finding space at the schools due to ongoing issues. Mr. Bujak asked the Select Board to reconsider their position on barring rentals at the Becker gym at least while the school issues are going on to help alleviate the current mental health crisis. Mr. Bujak has run some numbers on operating costs he will share with the Board.

3. REPORTS & ANNOUNCEMENTS

- a. **Student Liaison Reports**

The Student Liaisons presented updates from the Leicester Public Schools.

- b. **Report of the Town Administrator's Office**

The Town Administrator presented highlights from the written report of the office activities.

- c. **Select Board Reports**

The Select Board discussed various topics including a request from Vibra for ambulance assistance, reopening of 1073 Main Street, thanks to the highway department for their hard working during the nor'easter and the ice storm, thanks to fire and EMS for their service to our community, filling potholes ASAP, getting a list of roads to be asphalted by the end of the month including difficult roads with drainage, please use your real name when putting in public records requests which cost time and money and don't ask for the same thing under a different name, February is heart month, and getting a list of roads that need striping.

4. RESIGNATIONS & APPOINTMENTS

- a. **Retirement - Donna Johnson - Library Cataloguer**

Motion 020722-4a: A motion was made by Mr. Phillips and seconded by Mr. Duggan to accept the retirement of Donna Johnson and to send a letter of thanks for her service. **Motion carries 4:0:0.**

b. Resignation – Tim Newton - Regional Public Health Officer

Motion 020722-4b: A motion was made by Mr. Phillips and seconded by Mr. Shocik to accept the resignation of Tim Newton from the position of Regional Public Health Officer. **Motion carries 4:0:0.**

c. Resignation – Amy McInerney - Regional Public Health Officer

Motion 020722-4c: A motion was made by Mr. Phillips and seconded by Mr. Shocik to accept the resignation of Amy McInerney from the position of Regional Public Health Officer. **Motion carries 4:0:0.**

d. Resignation – Valerie Kokernak – Commission on Disabilities

Motion 020722-4d: A motion was made by Mr. Phillips and seconded by Mr. Shocik to accept the resignation of Valerie Kokernak from the Commission on Disabilities. **Motion carries 4:0:0.**

e. Resignation – Lisa Wall – Advisory Committee

Motion 020722-4e: A motion was made by Mr. Phillips and seconded by Mr. Duggan to accept the resignation of Lisa Wall from the Advisory Committee. **Motion carries 4:0:0.**

f. Resignation – Melanie Jackson - Treasurer/Collector

This item was passed over as Ms. Jackson's resignation was accepted at the December 6, 2021 meeting.

g. Appointment – Trevor Bruso - Regional Public Health Coordinator

Motion 020722-4g: A motion was made by Mr. Shocik and seconded by Mr. Phillips to appoint Trevor Bruso to the position of Regional Public Health Coordinator. **Motion carries 4:0:0.**

h. Appointment – Chris Wilson - Regional Public Health Epidemiologist

Motion 020722-4h: A motion was made by Mr. Phillips and seconded by Mr. Shocik to appoint Chris Wilson to the position of Regional Public Health Epidemiologist. **Motion carries 4:0:0.**

i. Appoint & Execute Contract – Kimberly Burton – Treasurer/Collector

Motion 020722-4i1: A motion was made by Mr. Shocik and seconded by Mr. Phillips to appoint Kimberly Burton to the position of Treasurer/Collector. **Motion carries 4:0:0.**

Ms. Forsberg presented a proposed standard contract with Ms. Burton which offers a salary of \$74K, four weeks vacation and a 180 probationary period.

Motion 020722-4i2: A motion was made by Mr. Phillips and seconded by Mr. Duggan to execute a contract with Kimberly Burton, Treasurer/Collector. **Motion carries 4:0:0.**

5. OTHER BUSINESS

a. Accept Senior Center Donation

Motion 020722-5a: A motion was made by Mr. Phillips and seconded by Mr. Duggan to accept a \$500 donation from ERA Key Realty Services Charitable Trust Foundation. **Motion carries 4:0:0.**

b. Contract Amendment – Interim EMS Director – Brian Kelley

Mr. Genereux presented a proposed contract amendment with Interim EMS Director Brian Kelley. Mr. Kelley has been here for six months and has made great progress working with the Fire Chief and EMS personnel on departmental changes. However, there are still issues with staffing and vehicles that need to be resolved prior to advertising for a permanent EMS Director.

Motion 020722-5b: A motion was made by Mr. Shocik and seconded by Mr. Duggan to approve the proposed contract amendment with Interim EMS Director Brian Kelley. **Motion carries 4:0:0**

c. Request to Surplus Vehicle – 1986 Hahn Fire Engine – Auction on February 19, 2022 at 10:00 AM

Mr. Genereux requested permission to surplus the 1986 Hahn Fire Engine since the Town has taken possession of its new fire engine. A live auction would be held on February 19th at 10am with a snow date of the following Saturday at the same time at 3 Paxton St. Mr. Genereux noted there are some interested parties in Town.

Motion 020722-5c: A motion was made by Mr. Shocik and seconded by Mr. Duggan to surplus the 1986 Hahn Fire Engine and to hold an auction for sale of the vehicle on February 19th at 10am, snow date February 26th at 10am. **Motion carries 4:0:0.**

d. Set Close Date for Annual Town Meeting Warrant – March 17, 2022 at 5:00 PM

Motion 020722-5d: A motion was made by Mr. Phillips and seconded by Mr. Duggan to set the close date for the Annual Town Meeting warrant as March 17, 2022 at 5pm. **Motion carries 4:0:0.**

e. Discuss/Vote on Bark Park (Dog Park at Former Becker College Campus)

Mr. Phillips presented a proposal from the Becker Veterinary Reuse Working Group for a dog park called “Bark Park”. The proposed park would be fenced in and include separate areas for large dogs and dogs under 25 lbs along with benches and dog cleanup stations. The Leicester Christmas Lights Display has offered to donate the sign

Motion 020722-5e: A motion was made by Mr. Phillips and seconded by Mr. Duggan to designate land in front of the veterinary clinic for a dog park to be named “Bark Park”, to repair the fence in the rear of the property, to put out the agility equipment for use by the public and to open the park in the spring (late March/April) once the snow has cleared. **Motion carries 4:0:0.**

f. Discuss/Vote on Closure of Town Hall, Senior Center and Library Due to COVID-19

Motion 020722-5f: A motion was made by Mr. Phillips and seconded by Mr. Duggan to reopen the Town Hall, Senior Center and Library and to make masks optional in these buildings. **Motion carries 4:0:0.**

g. Discuss/Vote on Lease of Real Property – Swan Library

Mr. Genereux discussed the proposal from the Massachusetts State Police Museum and Learning Center (MSPLC) for Swan Library. It is a one-year agreement beginning on March 1, 2022. It sets up a lease agreement for Swan Library and the ballfield field house for storage of vehicles. The rent would be \$2,915 per month for Swan Library and \$1,000 for the field house. The Town would be responsible for maintenance and the upkeep of the grounds. The State Police would be responsible for snow removal on the sidewalks and porch. Dick Belanger with the MSPLC discussed the mission of the State Police nonprofit which includes children’s education and various community trainings on topics such as narcotics.

Motion 020722-5g: A motion was made by Mr. Phillips and seconded by Mr. Shocik to approve the lease for the Swan Library and the lease for the ballfield field house with the Massachusetts State Police Museum and Learning Center. **Motion carries 4:0:0.**

6. MINUTES

- a. **January 3, 2022**
- b. **January 11, 2022**
- c. **January 18, 2022**

d. **January 24, 2022**

Motion 020722-6: A motion was made by Mr. Shocik and seconded by Mr. Phillips to approve the minutes of January 3, 11, 18 and 24, 2022. **Motion carries 4:0:0.**

Motion 020722-7: A motion to adjourn was made by Mr. Phillips and seconded by Mr. Shocik at 8:44pm. **Motion carries 4:0:0.**