



PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: February 22, 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***

<https://global.gotomeeting.com/join/742174781>

(571) 317-3122; Access Code: 742-174-781

CALL TO ORDER/OPENING

1. SCHEDULED ITEMS

- a. 6:00pm – Retirement Ceremony & Special Police Officer Appointment – Officer John Caforio
- b. 6:15pm – Request to Appoint Library Trustees as Special Municipal Employees

2. PUBLIC COMMENT PERIOD

3. REPORTS & ANNOUNCEMENTS

- a. Student Liaison Reports
- b. Report of the Town Administrator's Office
- c. Select Board Reports

4. RESIGNATIONS & APPOINTMENTS

- a. Resignation – Benen ElShakhs, Joseph Kuchinski, Sara Seaver & Scott LaFlash – EMT
- b. Resignation – Kimberly Burton – Treasurer/Collector
- c. Appointment – Ashley Belanger – Per-Diem Paramedic
- d. Appointment – Tom Savage, Christopher Goodney Jr., Antonio Santana – Per-Diem EMT
- e. Appointment – Nicholas George – Interim Treasurer/Collector
- f. Appointment – FY21 CDBG Environmental Certifying Officer – Alaa Abusalah

5. OTHER BUSINESS

- a. Request to Use Becker Campus for 2022 Leicester Harvest Fair
- b. School Department Audit Request
- c. Vote to Dissolve Fire Station Building Committee
- d. Vote to Schedule Use of Town Fields via Recreational Field Officer

6. MINUTES

- a. February 14, 2022

ADJOURN



Leicester Police Department
90 South Main Street
Leicester, MA 01524



www.leicesterpd.org

Chief
Kenneth M. Antanavica
antanavica@leicesterpd.org

Emergency: 911
Non Emergency: 508-892-7009
Non Emergency: 508-892-7010
Fax: 508-892-7012

Date: February 8, 2022

To: Mr. David Genereux
Town Administrator

Select Board
Town of Leicester

From: Kenneth M. Antanavica
Chief of Police

Re: **Appointment of John Caforio as a Special Police Officer**

I am recommending that the Select Board consider appointing recently retired Leicester Police John Caforio as a Special Police Officer for the Town of Leicester so that he may continue to do details for the department.

The Worcester Regional Retirement Board has advised that there is a two (2) week waiting period from Officer Caforio's last payroll date. Officer Caforio's retirement date was 01/02/2022 so we are well beyond the 2 week waiting period.

Respectfully requested,

Kenneth M Antanavica
Chief of Police



Leicester Police Department
90 South Main Street
Leicester, MA 01524



Chief
Kenneth M. Antanavica
antanavicak@leicesterpd.org

www.leicesterpd.org

Emergency: 911
Non-Emergency: 508-892-7009
Non-Emergency: 508-892-7010
Fax: 508-892-7012

11/12/21

Chief Antanavica,

I would like to inform you that my last day of employment as a patrolman for the Leicester Police Department will be January 1st 2022.. My pending retirement will be effective on January 2nd 2022.

I would like to stay on as a Special Police Officer for the opportunity to work paid details.

Sincerely,

John A. Caforio, Jr.

From: [Ravina Sql](#)
To: [Forsberg, Kristen](#); [Janine Drake](#)
Cc: [Genereux, David](#); [Mary Moore](#); [parke207@charter.net](#)
Subject: Library request for 2-22-22 Select Board meeting
Date: Wednesday, February 16, 2022 9:42:09 AM
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](#)
[Summary of the Conflict of Interest Law for Municipal Employees 2022 1 .pdf](#)
[Oxford Specials List.pdf](#)
[FINAL slide handout 22Feb14.pdf](#)

Please provide this email and the attached documents to the Select Board in their meeting packet, for their consideration in making a decision about designating Leicester Public Library Trustees as "special municipal employees" at their 2-22-22 meeting. The documents attached are as follows:

- 1) A list of towns in Worcester County that gave 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 Zoning Board of Appeals, the Board of Health, the Planning Board, the Conservation Commission, and other positions.
- 4) Summary of the Conflict of Interest Law for Municipal Employees
- 5) Oxford special municipal employees list, where Oxford designated far more positions in this way, probably every position that could be designated, at the request of Town Administrator Dennis Power at their Select Board meeting on 2/7/2006.
- 6) A printed copy of my slide presentation (I sent the slide presentation itself earlier today)

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 at your meeting.

Please take note of this previous instance from your own Select Board minutes dated June 8, 2004, and to realize that ANY volunteer board in Town could have a similar situation, including the Library Trustees:

[ZBA](#)

[Town Administrator](#) stated the ZBA is requesting that their board be designated as Special Municipal Employees. Mr. Belanger asked why they would need that designation. Mr. Armington explained that the issue was they had to designate the positions not the individuals and it was his understanding that they have an attorney on that board who would not be able to represent before other boards. He stated that in the past they designated the individual but they should have done all.

MOTION: Mr. Brennan moved to appoint members of the Zoning Board of Appeals as Special Municipal Employees. Mr. Fraser seconded. UNANIMOUS

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



request for info on Special Employee Status2 messages

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

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[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)

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.



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 10 AM 11:07

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STATE ETHICS COMMISSION
06 FEB 19 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 10 AM 11:07

BOARD OF SELECTMEN	
CLERK	REGULAR
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	
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

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
OFFICE OF THE CLERK
OXFORD, MA.
FEB 2 11:07 AM '06

RECEIVED

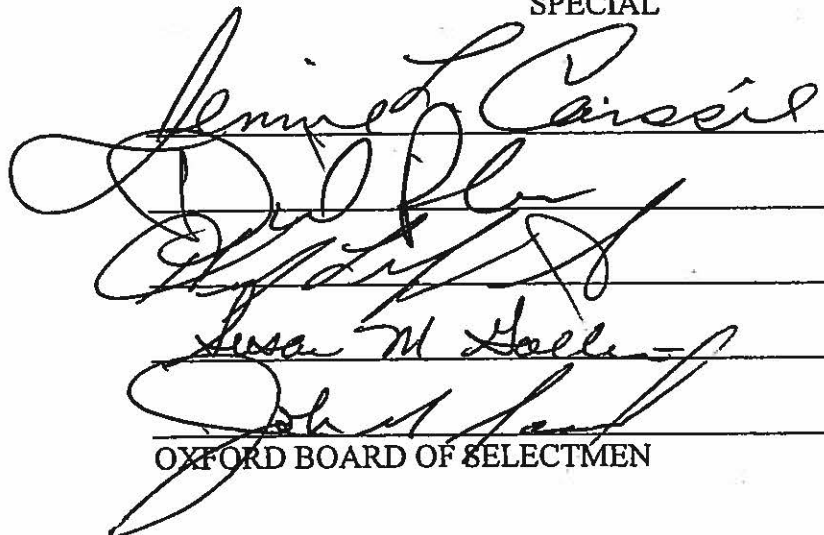
RECEIVED
STATE ETHICS COMMISSION

06 FEB 10 AM 11:07

SPECIAL
SPECIAL
SPECIAL

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
REGULAR
REGULAR
REGULAR
REGULAR
REGULAR
REGULAR
REGULAR
REGULAR
SPECIAL
SPECIAL
SPECIAL
SPECIAL


OXFORD BOARD OF SELECTMEN

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

Library Trustee Request for “Special Municipal Employee” Designation

Revised Monday, 2/14/2022 – Final version

1

Introduction

My name is Paul Ravina. I am a Town resident. 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.

2

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

3

Request to Select Board

The **Library Board of Trustees** has voted **unanimously** to request that the position of Library Trustee be designated as a “special municipal employee”.

The **Recycling Committee** will be considering this idea at their next meeting and will get back to you at some future date.

4

What would that do?

- Designating the Library Trustees as “special municipal employees” would allow the Trustees to be involved in **other Town business** that they would normally be excluded from under the Conflict of Interest Law.
- The Library Trustees would **still NOT be exempt** from any ethics violation involving the Library itself.

5

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]

6

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

7

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”

8

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)

9

Precedent: What have other Towns done?

- Every City and Town abutting our Town has designated the position of Library Trustee as a “special municipal employee”

Source: State Ethics Commission email

10

Good Example: Oxford

The Town of Oxford has used the designation “special” for many town and school positions, including Library Trustee. They made that designation **the rule rather than the exception** under Town Administrator Dennis Power.

I believe Leicester would do well to follow Oxford’s example and be generous in applying this designation.

11

Example 1 of Issues Without Designation

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 good 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.

12

Example 2 of Issues Without Designation

- If an architect is a Library Trustee, they cannot be contracted by the town school department to design an expansion of a school, even though their library position has nothing to do with working on an architectural project for the school department.

This is not fair! It discourages good people from serving.

- Solution: designate the position of Library Trustee as a “special municipal employee”. Then the architect or engineer can do paid work for any department in Town EXCEPT for the Library Board.

13

How Would It Help the Town?

- Select Board designation of the position of Library Trustees as a “Special Municipal Employee” removes a limitation that would stop certain people from volunteering for the town.
- Without this designation many talented professionals will be reluctant to lose possible income by volunteering for the Town.

14

Solution

- **I am asking that tonight you vote to designate the position of Library Trustee as a “special municipal employee”**

- In addition, at a future meeting, please consider other positions for this designation. I suggest following the Oxford example.

15

Conclusion: Request for a Motion

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

I’d be happy to answer any questions



Town of Leicester
OFFICE OF THE TOWN ADMINISTRATOR
Town Hall, 3 Washburn Square
Leicester, Massachusetts 01524
Phone: (508) 892-7000 Fax: (508) 892-7070
www.leicesterma.org

February 22, 2022

To: Select Board
From: David Genereux, Town Administrator
RE: Report of the Town Administrator's Office

The following is a report on the general activities of the Town Administrator through February 4, 2022.

Becker College

- The Accountant has set up income and liability accounts on town books for the Becker property.
- Setting up Working Group Meetings, emails and scheduling online notices. JD
- Submitting Billing. JD
- We have received partial information regarding electric from National Grid. Awaiting additional information and gas usage. DG
- Assisting with setting up appointments for maintenance, etc. with David Genereux & Joe Fontaine. JD
- Attended working group meetings KF, DG
- Wrote the draft charge for the Bark Park Committee KF
- Completed the RFO job description, cost analysis, both short and long term, for the Becker gym DG
- Had discussions regarding the rental cost of the kitchen and potentially renting an apartment at Becker DG

Leicester Housing Authority Fire

- Residents are back at the LHA, with temporary fire monitoring installed. The new system will be installed over the next 9 months. DG

Vaccine Clinics

- Next clinics are scheduled for February 22 from 4:00 to 7:00 pm at the Borger Auditorium on the former Becker College Campus.

Economic Development/Businesses

- Worked with Dawu Café on their new business licenses, including common victualler license KF
- Worked with Limitless Nutrition at 724 Main Street on change of ownership paperwork KF
- Wrote and submitted the ABCC annual liquor license report KF
- Worked with the Recycling Committee to submit the 2021 Annual Recycling survey, making Leicester eligible to receive 2022 grant funding KF

Grants

- Completed closeout for the EDA Water Sewer Grant KF
- Worked to complete all conditions required to move forward with the trails and beach project at Burncoat Park using MassTrails \$48K grant. Will be working on procurement in the upcoming weeks. KF

- Worked with CMRPC on payment schedules and processing invoices for CDBG grants KF
- Have to look at three invoices for educational software submitted under the CARES act, at DLS's request.

Citizen issues

- Receiving calls regarding Becker Gym usage and Becker Building usage and opportunities. Leicester Soccer has again requested use of the Becker Gym. I have informed them that they cannot use it, until we have fees and protocols in place, per the last vote of the Select Board. They will likely attend a meeting to voice their concerns. DG
- Addressed EMS complaint KF DG
- Worked with the Leicester Water Supply District to put out notifications, including an area-specific CodeRed announcement in the middle of the night, regarding a significant water main break DG, KF

Meetings

- Met with DER Culvert Grant representative on 2/7 regarding Pre-RFR application submitted for culvert replacement along Grindstone Brook DG, KF
- Attended Advisory Committee meeting on 2/14 KF
- Attended Veterinary Clinic meeting on 2/16 KF
- Attended Athletics meeting on 2/17 DG KF
- Attended CIPC meeting on 2/15 to discussed purchase of new ambulance and fire truck DG,KF
- Met with a potential dorm lessee on 2/17 DG

Financial/Budgetary

- Working on FY 2023 budget; expect it to be ready ahead of first Advisory Board meeting on 2/26 DG
- Completed the Select Board, General Government, IT, Streetlight, Town Owned Properties budgets KF
- Monthly reconciliation of Town credit card KF

Daily Operations

- Answering phones, answering questions, disseminating messages. KF & JD
- Continuous Email monitoring, follow up, dissemination, information sharing, responses to action items and Email messaging. DG, KF & JD
- Greeting visitors, answering questions and handling departmental paperwork. JD & KF
- Setting appointments and interviews. KF & JD
- Stamping, coding, and submitting invoices for over 75 accounts JD
- Opening and processing daily mail along with redistribution. JD
- Select Board meeting prep and follow up. KF
- Meeting minutes KF, JD
- Prepared weekly read file KF
- Payroll processing JD
- Website & Facebook regular updates KF, JD
 - Updated Becker, Elementary Oil Incident and Water/Sewer pages KF
- Creating files, copying, labeling & filing. JD
- Daily/Weekly Turnovers to Treasury JD
- Worked on various insurance claims KF
- Provided timely updates to the board regarding key events via email KF

Human Resources

- Put together final packages and obtained outstanding information for the Civilian Detention Clerk applications – 9 applications in all. Submitted to PD. KF, JD
- Onboarding numerous new employees KF
- Sent out regrets emails for the Treasurer/Collector and Epidemiologist positions KF
- Completed negotiations with Acting Treasurer/Collector DG
- Spoke with DIS Director regarding office workflow; solution to be address in FY 2023 budget DG

Misc.

- Worked on the 2021 Annual Town Report KF
- Spoke with a Board member concerning grant application that was submitted under the Community One-Stop program for Moose Hill. That program has re-opened for FY 2022. The Board will recall that the max grant is \$400,000, with the study cost being \$600,000, which would mean if we apply and receive the grant, we would need to appropriate another \$200,000 to cover the difference between the grant and the study cost. DG

Training

- MCPPO Designer Selection Class JD

**Note: Janine provides administrative support for all activities in the office*

Memo

To: Leicester Selectboard
From: Brian D. Kelley, Interim EMS Director
Date: February 7, 2022
Re: EMT Resignation



On Thursday February 7, 2022 I received an email from Benen ElShakhs, an EMT resigning from Leicester EMS. Benen indicated that he moved to California permanently several months ago and will no longer be able to work at Leicester EMS as a result.

Memo



To: Leicester Selectboard
From: Brian D. Kelley, Interim EMS Director
Date: February 12, 2022
Re: EMT & Paramedic Resignations

On January 27, 2022 I sent letters out to a number of EMS Personnel regarding their lack of recent participation at Leicester EMS with a deadline of February 11, 2022 to contact me regarding their continued employment.

On February 10, 2022 I received an emails from Joseph Kuchinski and Sara Seaver citing their time commitments are their full time jobs prohibiting them from dedicating the amount of time needed to continue at Leicester EMS and therefore respectfully submitted their resignations.

Memo



To: Leicester Selectboard
From: Brian D. Kelley, Interim EMS Director
Date: February 17, 2022
Re: EMT Resignation

On Thursday February 15, 2022 I received an email from Scott LaFlash, an EMT resigning from Leicester EMS. Scott indicated that he has reached the decision it is time to “retire” from Leicester EMS after 27+ years of service, 8 of which was as the EMS Coordinator.

Memo



To: Leicester Selectboard
From: Brian D. Kelley, Interim EMS Director
Date: February 12, 2022
Re: EMT & Paramedic Appointments

On Thursday February 10th and Friday February 11th 2022, Chief Dupuis and I interviewed five (5) candidates for positions at Leicester EMS. Each candidate interviewed very well and we believe they will be excellent additions to our staff.

I therefore request that the board appoint the following to Leicester EMS effective immediately:

- Ashley Belanger, Per-Diem Paramedic
- Tom Savage, Per-Diem EMT
- Christopher Goodney Jr, Per-Diem EMT
- Antonio Santana, Per-Diem EMT



Town of Leicester

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

February 16, 2022

To: Nicholas George, Assistant Treasurer/Collector

From: David Genereux, Town Administrator

This memorandum serves to document the discussion that we had today regarding your interest in the Treasurer/Collector Position. I am pleased to offer you the following, pursuant to confirmation by the Select Board at its meeting on February 22, 2022:

Acting Treasurer Collector

- You will assume the title of Acting Treasurer/Collector, effective February 23, 2022
- Effective that date, you will move from Level III, Step 4 on the expanded FY 2022 Classification and Compensation schedule (\$24.02/hr.), to Level III, Step 7 (\$27.72/hr.).
- You will remain on that step until June 30, 2022, at which time it will be determined whether there is mutual interest in you assuming the role on a permanent basis.
- During this period, the former Treasurer/Collector will be retained on an hourly, as-needed basis to assist you with your transition.
- We will not promote, nor hire any other department personnel during this period.
- If for any reason either you or the Town decides that you are not a fit for the Treasurer/Collector position, you shall have the ability to move back to your previous position and rate, and the Town will conduct a recruitment for the position.

Treasurer/Collector

- The target date for formalizing a decision on you assuming the role permanently will be June 30, 2022.
- Upon promotion to the position, you will be moved to Level IV, Step 2, which is a salaried position based on a \$31.22 hourly rate.
- The salaried position will be contract based and will include four (4) weeks of vacation.
- At that time, the Town will fill the vacant position in the Treasurer/Collector's Office.
- The window to have the ability to move back to your previous position will then be closed.
- You will be moved annually a minimum of one step per year, based on a favorable performance review, until attaining Step 7, after which each movement will be based on merit.

Please contact me with any questions.

Cc: Town Treasurer
Town Accountant
Personnel File

Town of Leicester

FY 2021 Community Development Fund Program

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

Designation of Environmental Certifying Officer

Leicester Community Development Program

In my capacity as Chair of the Select Board for the Town of Leicester, Massachusetts, I hereby appoint and designate Alaa Abusalah, Town Planner, as the Town's Environmental Certifying Officer (ECO).

Rick Antanavica
Chair, Select Board

Date

Good afternoon Mr Genereux

Could you please forward this email to the members of the selectboard?

As residents of the Town of Leicester, we are growing rather concerned of our school department in several aspects. I have emailed Mr Genereux about concerns with lack of communication which honestly is abysmal with the school committee members And the Superintendent. I have roughly a dozen emails which have gone unanswered related to finances, policy, building conditions etc etc

More importantly, town residents are extremely bothered with the lack of maintenance to the school building's, the oil spill, the sprinkler system. I'm witnessing articles in the Spencer New Leader, Documents on social media from individuals. The information is troublesome

Lastly, I am personally bothered by the financial budget of the school dept. I have been listening to meetings, talking with other parents and again, seeing disturbing reports on social media. I think it's time to entertain pursuing an audit into OUR school budget. I witnessed a meeting in which the Superintendent said the Finance Director left 400,000 in an account to pay for oil spill. Where did that come from? Where will they get the rest of the funds needed for it? And then I see a report online that they have saved almost one million dollars in a school choice fund while we are closing a school, laying off staff, consolidating programs. What is going on?

So I'm asking that in the next Selectboard Meeting that an item be placed on the agenda for an audit. The public deserves answers

Thank you for listening
Kim

Town of Leicester, Massachusetts
Job Description

Position Title:	Recreational Field Organizer (RFO)	Grade Level:	NA
Department	Select Board/Town Administrator	Date:	02/08/22
Reports to:	Town Administrator	FLSA Status	Exempt

Statement of Duties: The Recreational Field Organizer (RFO) is responsible for the planning, scheduling, coordinating and outreach to town departments, boards and committees, for-profit and non-for-profit athletic groups, organized leagues, and private citizens for the purpose of scheduling all Town fields and gymnasiums. This includes the following:

- All municipal fields and facilities
- School fields and facilities as required
- The Town Common

Supervision Required: Under the general supervision of the Town Administrator or his/her designee, the employee is familiar with the work routine and uses initiative in carrying out recurring assignments independently with specific instruction. Much of the position involves independent work, as it is not based within Town Hall with the exception of a few hours per week.

Unusual situations are referred to the supervisor for advice and further instructions. Supervisor reviews work to remain aware of progress, work methods, and technical accuracy.

Supervisory Responsibility: The employee is not required to provide regular supervision to department employees.

Confidentiality: The employee may occasionally have access to confidential information in accordance with the State Public Records Law such as client records obtained during the performance of position responsibilities.

Accountability: Consequences of errors, missed deadlines or poor judgment may include adverse customer relations or legal repercussions.

Judgment: Standardized practices, procedures, or general instructions govern the work and in some cases may require additional interpretation. Some judgment may be needed to locate, select and apply the most pertinent practice, procedure, regulation or guideline.

Complexity: The work consists of a variety of duties which generally follow basic office work. Tasks such as data entry, email, telephone work, computation of deposits, etc.

Work Environment: As the position is based at the employee's home or office, the work environment may contain noise or physical surroundings that may be distracting but working conditions should generally not be unpleasant.

Nature and Purpose of Public Contact: The employee interacts with co-workers, the public and external contacts such as vendors doing business with the department in order to explain or

Senior Center Department
Outreach Coordinator
2/17/2022

Town of Leicester, Massachusetts
Job Description

interpret operating procedures or guidelines, to plan or coordinate work, or to attempt to resolve problems. More than ordinary courtesy, tact, and diplomacy may be required to resolve complaints or deal with disgruntled or uncooperative persons.

Occupational Risk: Duties generally do not present occupational risk with exposure to personal injury.

Essential Functions:

The essential functions or duties listed below are intended only as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

The position requires predominately remote work, using a Town cellphone and computer. There are no set hours, but likely includes day, evening, and weekend work, depending on when interrogatories and reservation requests are received. There will be a few hours of weekly work in Town Hall required, for the purpose making deposits with associated recordkeeping.

Schedules the use of all municipal and school athletic fields and gymnasiums, under the position's jurisdiction, including the newly acquired facilities at the former Becker College campus, and the Town Common. Scheduling is done following a protocol of scheduling preferences as defined by the Select Board or its designee(s).

Individuals and groups served include Leicester School athletic groups and teams, organized teams and events through the Parks and Recreation department, private and public not-for-profit and for-profit athletic groups, other leagues, organizations, and private citizens.

Quotes field use charges and fees, where applicable. Inputs data, creates schedules, and tracks field use.

Coordinates collections of fees, allocation to proper general ledger accounts on the Towns accounting software package, reconciles account and collections monthly.

Provides assistance with users regarding scheduling times, field and gymnasium conditions, and other concerns. Follows through and resolves issues with assistance from others. Coordinates scheduled field maintenance and repairs with the Highway Department.

Attends monthly Parks and Recreation meetings, School Committee and Select Board meetings as required, and any other meetings regarding the scheduling process.

Recommended Minimum Qualifications:

Education and Experience: Associates degree in Business Administration or a related field is preferred; minimum of one to three (1-3) years-experience or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities to

Senior Center Department
Outreach Coordinator
2/17/2022

Town of Leicester, Massachusetts
Job Description

perform the essential functions of the job.

Special Requirements: CORI certification is required as a condition of employment. Valid Class D Motor Vehicle Driver's license.

Knowledge, Abilities and Skill

Knowledge: Knowledge of scheduling, logistics, and problem solving required.

Abilities: Ability to interact in a positive and effective manner with the public; ability to communicate orally in a clear, and concise manner; ability to receive, understand, and execute oral, and written instructions; ability to maintain detailed and accurate records and to manage multiple tasks in a detailed and timely manner. Ability to work independently and to take initiative to identify and attempt to resolve issues.

Skill: Proficient public relations customer service skills; excellent organizational and computer skills; knowledge of Word, and Excel, and the ability to learn other software projects essential. Proficient oral and written communication skills. Proficient data processing skills.

Physical and Mental Requirements

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Physical Demands: Work requires moderate, intermittent physical strength and effort on a regular basis.

Motor Skills: Duties may involve assignments requiring the application of hand and eye coordination with finger dexterity and motor coordination in order to operate a motor vehicle, personal computer, or to reach with hands and fingers to operate office equipment.

Visual Demands: The employee is routinely required to read documents and reports for understanding and analytical purposes. The employee is rarely required to determine color differences.

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

**SELECT BOARD MEETING MINUTES
FEBRUARY 14, 2022 AT 6:00PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

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

1. SCHEDULED ITEMS

a. 6:00pm - Executive Session, MGL Chapter 30A, Section 21(a)

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, to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (Campus Security), and Exception #6, To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Becker Dormitories) The Chair declared that to discuss these matters in open session would compromise the position of the Town. Roll call: 5:0:0.

Motion 021422-1a: A motion was made by Mr. Phillips and seconded by Ms. Provencher to close the Executive Session at 6:58pm and reconvene in open session. **Roll Call Vote: All Ayes**

b. 7:00pm – Common Victualler License – Dawu Cafe, 310 Pleasant Street

The Board was informed that the Café is opening on March 16th, 2022. The operating hours are scheduled to be: 10 am to 10 pm Wednesday through Sunday, closed Mon & Tues. The Café is not seeking a BYOB permit. They in will likely set up at the Harvest Fair, and perhaps set up samples.

Motion 021422-1b: A motion was made by Mr. Phillips and seconded by Ms. Provencher to approve a Common Victualler license for Dawu Café located at 310 Pleasant Street. **Motion carries 5:0:0.**

c. 7:00pm – Games License (Pool Table) – Leicester Country Club, 1430 Main Street

Chuck Bois, of the Leicester Country Club, spoke to the Board about obtaining a games license to install a coin op pool table.

Motion 021422-1c: A motion was made by Mr. Phillips and seconded by Ms. Provencher to approve a game license for Leicester Country Club at 1430 Main Street for a coin operated pool table. **Motion carries 5:0:0.**

2. PUBLIC COMMENT PERIOD

No members of the public provided comment

3. REPORTS & ANNOUNCEMENTS

a. Student Liaison Reports

The Student Liaison reported that school vacation is next week, and students are choosing school schedules for next year.

b. Select Board Reports

The Select Board discussed various topics, including cancelling the planned auction of Engine #1 in favor of putting out an IFB.

4. RESIGNATIONS & APPOINTMENTS

a. Appointment – Josh Senior – Parks and Recreation Committee alternate member

Motion 021422-4a: A motion was made by Mr. Phillips and seconded by Mr. Shocik to appoint Josh Senior as an alternate member of the Parks and Recreation Committee. **Motion Carries 5:0:0**

b. Appointment – Library Trustees /Recycling Committee – Special Municipal Employee

Mr. Genereux explained that the trustee who had requested the agenda item wrote earlier in the day, asking that the item exclude the Recycling Committee, as they had not yet met to discuss it. When the item came up for discussion, the trustee was not present at the meeting, nor online. The Board moved this item to the next meeting for discussion.

5. OTHER BUSINESS

a. Request to Use Becker Campus for Harvest Fair

Discussion on this item was tabled and set for the next Select Board meeting as the individual who requested the item was unable to attend.

b. Request to Use Open and Out of Code Veterinary Supplies

Stella Richard requested to the Board that open and/or out of code items from the Becker Veterinary Clinic be donated to Bay Path's Veterinary Program. Ms. Richard stated that these items could not be used on animals but would be used as training aids and crafts for students. The Board commented that they previously had spoken of holding all materials until disposition of the property could take place.

Motion 021422-4b: A motion was made by Mr. Phillips and seconded by Ms. Provencher to take Ms. Richard's request to donate open and/or out of code items from the Becker Veterinary Clinic to Bay Path's Veterinary Program under advisement. **Motion carries 5:0:0.**

c. Establish Bark Park Committee

The Board discussed establishing the Bark Committee to begin the work at the dog park. Mr. Genereux explained that a preliminary charge had been included in the packet, and that the five-person committee would be appointed by the Select Board. The Board requested that the openings be listed on the town website as soon as possible.

Motion 021422-4c: A motion was made by Mr. Shocik and seconded by Ms. Provencher to establish the Bark Park Committee with the charge as listed in the packet. **Motion carries 5:0:0.**

d. Potential Uses of FY2021 Free Cash & ARPA funding

Mr. Genereux explained the changes to the ARPA that would allow the funds allocated to the Town to be used for general budget purposes. Mr. Genereux stated that these funds could not be used for bolstering savings, retirement of debt or OPEB. The Board discussed funds being put aside recommendation we put money aside pending a review of the Capitol Committee to purchase a new ambulance and fire apparatus.

The Board discussed the possibility of premium pay for front line workers. M. Genereux stated the Fire and EMS departments were looking at establishing a formula regarding payment to part time and call employees.

There also was discussion regarding removing invasive species from Town owned ponds, identified as Greenville and Waite ponds. Mr. Genereux stated that we would update the cost of weed control with

the vendor who quoted a few years ago. Mr. Genereux stated that cameras on Town-owned properties were also part of the overall funding plan.

A resident asked about the funds being used for water and sewer district needs. Mr. Genereux explained that the change in the ARPA rules allowed more flexibility with funding, allowing it to be spend on needs that would benefit every resident. The Board suggested contacting Sen. Gobi and other reps to speak to them about more funding availability.

6. MINUTES

a. February 7, 2022

Motion 021422-6a: A motion was made by Mr. Phillips and seconded by Mr. Shocik to approve the minutes of February 7th, 2022. **Motion carries 5:0:0.**

Motion 021422-7: A motion to adjourn was made by Mr. Shocik and seconded by Mr. Phillips at 8:34pm. **Motion carries 5:0:0.**