



**PUBLIC NOTICE POSTING REQUEST**  
**OFFICE OF THE LEICESTER TOWN CLERK**  
**ORGANIZATION: Select Board Meeting**

RECEIVED  
2024 APR 29 PM 5:02  
TOWN CLERK'S OFFICE  
LEICESTER, MASS.

**MEETING: X**

**PUBLIC HEARING**

**DATE: May 1, 2024**

**TIME: 6:00pm**

**LOCATION: Select Board Conference Room, 3 Washburn Sq, Hybrid**

**REQUESTED BY: Maria Cataloni, Executive Assistant**

*Agenda packet and associated documents can be found at [www.leicesterma.org/bos](http://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. Votes may be taken on any item brought before the Board at its meeting. 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://app.goto.com/meeting/534733493>

(571) 317-3122; Access Code: 534-733-3493

**CALL TO ORDER/OPENING**  
**VETERANS POEM**

**1. CIVIC ANNOUNCEMENTS**

- a. Town Meeting – May 7, 2024 (7:00 PM)

**2. RESIGNATIONS AND APPOINTMENTS**

- a. Appointment: Nicholas Wilson
- b. Appointment: Steven Kustigian

**3. OTHER BUSINESS**

- a. License renewal: Class II – Ernie's Auto, 515 & 517 Main Street
- b. Leicester Public Health Coalition – IMA
- c. Contract Award: Road Resurfacing
- d. Contract Award: Line Painting
- e. Contract Award: Police Department Flooring
- f. Contract Award: Town Hall Painting
- g. Approve Annual Town Meeting Guide

**4. MEETING MINUTES**

- a. April 16, 2024

**ADJOURN**



**Leicester Police Department**  
**90 South Main Street**  
**Leicester, MA 01524**

[www.leicesterpd.org](http://www.leicesterpd.org)



**Chief**  
**Kenneth M. Antanavica**  
[antanavicak@leicesterpd.org](mailto:antanavicak@leicesterpd.org)

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

April 17, 2024

**RE: Conditional Offer of Employment - Leicester Police Officer**

Dear Nicholas Michael Wilson:

The Leicester Police Department is pleased to make you a Conditional Offer of Employment as a Police Officer. This conditional offer of employment is contingent upon your successful completion of the following:

1. Physical examination (including drug test)
2. Psychological examination
3. Physical Aptitude Test (PAT) which is a precondition for admission to the police academy.
4. Resolution of outstanding background issues (if any)
5. Appointment to the position by the Town of Leicester Select Board (appointing authority)
6. Meet all criteria outlined by the POST (Police Officers Standards and Training commission)
7. Must graduate from the academy in good standing.
8. Must comply with ARTICLE XVI of the current police officer contract regarding Residency:  
Any person who receives an appointment to the full-time police force of the Town of Leicester, shall establish his residence any place in the Commonwealth that is within ten (10) miles of the perimeter of the Town of Leicester, including the Town of Leicester.
9. The position is fully funded in the town budget.

Please note that this is not an appointment by the Select Board as a "police officer".

If the above conditions are met and you receive an appointment by the Select Board, you will be classified as a "provisional officer" until such time that you complete the Leicester PD FTO program. At the time the FTO program is completed, you will automatically go to regular full time Police Officer status. At that time, you will be able to join the N.E.B.P.A. Local 168 union and begin doing details and overtime shifts. Please note that all new hires are considered to be on probationary status for one year from their date of hire.

You will be joining the Leicester Police Department as a non-civil service employee and will be covered by M.G.L. c.41, §111F (injured on duty) if such an injury occurs. Your starting pay grade will be at step #1 as found in the FY2022-2023 patrolman's MOU (25.98 per hour) with a 4-2 schedule). All other benefits will follow the patrolman's contract as you are a newly hired employee, including but not limited to shift bids and vacation bids.

Should you have any questions pertaining to this offer, please contact Sgt. Mathew Brady who is the Leicester Police official that is assigned to candidate screening.

Sincerely,

Kenneth M Antanavica  
Chief of Police

Cc: Town Administrator, LPD Background investigator, Background file.





# Leicester Police Department

90 South Main Street  
Leicester, MA 01524

[www.leicesterpd.org](http://www.leicesterpd.org)



Chief

Kenneth M. Antanavica

[antanavicak@leicesterpd.org](mailto:antanavicak@leicesterpd.org)

**Emergency: 911**

Non-Emergency: 508-892-7009

Non-Emergency: 508-892-7010

Fax: 508-892-7012

April 5, 2024

**RE: Conditional Offer of Employment - Leicester Police Officer**

Dear Stephen Kustigian:

The Leicester Police Department is pleased to make you a Conditional Offer of Employment as a Police Officer. This conditional offer of employment is contingent upon your successful completion of the following:

1. Physical examination (including drug test)
2. Psychological examination
3. Resolution of outstanding background issues (if any)
4. Appointment to the position by the Town of Leicester Select Board (appointing authority)
5. Meet all criteria outlined by the POST (Police Officers Standards and Training commission)
6. Must graduate from the academy in good standing.
7. The position is fully funded in the town budget.

Please note that this is not an appointment by the Select Board as a "police officer".

If the above conditions are met and you receive an appointment by the Select Board, you will be classified as a "provisional officer" until such time that you complete the Leicester PD FTO program. At the time the FTO program is completed, you will automatically go to regular full time Police Officer status. At that time, you will be able to join the N.E.B.P.A. Local 168 union and begin doing details and overtime shifts. Given your experience, we anticipate that your FTO program to be very brief. Please note that all new hires are considered to be on probationary status for one year from their date of hire.

You will be joining the Leicester Police Department as a non-civil service employee and will be covered by M.G.L. c.41, §111F (injured on duty) if such an injury occurs. Your starting pay grade will be at step #1 as found in the FY2022-2023 patrolman's MOU (25.98 per hour) with a 4-2 schedule). All other benefits will follow the patrolman's contract as you are a newly hired employee, including but not limited to shift bids and vacation bids.

Should you have any questions pertaining to this offer, please contact Sgt. Mathew Brady who is the Leicester Police official that is assigned to candidate screening.

Sincerely,

Kenneth M Antanavica  
Chief of Police

Cc: Town Administrator, LPD Background investigator, Background file.



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](http://www.leicesterma.org)

April 30, 2024

To: Select Board  
Advisory Committee  
From: David Genereux, Town Administrator

Re: Leicester Regional Public Health Coalition (LRPHC)

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At the April 16<sup>th</sup> Select Board meeting, the signing of the regional IMA with the other Town's in the LRPHC was discussed by the Board. The Department of Public Health has requested that a regional inter municipal agreement (IMA) be signed by all communities participating in the LRPHC. This will replace the original IMA, which was individualized between the various Towns and Leicester.

For background, Francis Dagle, our Health Agent at the time funds were available, obtained two grants to form a regional health coalition. They are listed below:

**Public Health Excellence (PHE) Grant:** An annual grant of \$525,379.12. It is anticipated that this annual grant will be running through 2031. This grant funds basic regional services such as Title V, food, camp and public pool inspections. It deals with complaints and investigations of sanitary issues. Currently, this grant funds the Director (vacant), a regional inspector, a regional administrative support staff member, and the Shared Services Coordinator.

**Infectious Disease/COVID19 support Grant:** An annual grant that pays \$225,000 per year, for a total of \$675,000. The current balance in the account is \$463,764.92, according to accounting office. This grant funds an epidemiologist, and a part -time nurse. This grant is due to be closed out in March of 2026, unless DEP decides to renew or repackage it.

In addition to these grants, the Town funds a full-time health inspector, with an FY2025 recommended budget of \$92,594. This inspector will not normally work for the LRPHC, as DPH's goal is for the grant to not to subvert local funding of public health.

The Town is currently budgeted to receive 10% of the grant annually, which is \$52,537.91. In previous year, that income was offset by repairs and the operating costs of Marsh Hall, which was a necessary spot for them to be in due to space considerations. When the LRPHC was first established, we had four staff people in one room in the Land Use department.

In January, we worked with the School Department to convert the third-floor conference room for the Health Department use, giving them much needed space. Currently the regional inspector, the administrative support staff member, and our local inspector are in Land Use, while the Director, the epidemiologist, and the Shared Services Coordinator are in the now former conference room.

Now that space has been re-established in Town Hall, the costs are minimal. The Shared Services Coordinator is working with DPH on all grant activities. I am working a few hours per week overseeing the Department until we get a director, which I estimate may be at \$2,500 in indirect, non-billable costs. We have a budget adjustment request to increase the local percentage to 15%, which would net the Town \$78,806.07 per year in administrative fees.

The grant funds all the employees, and their fringe benefits (Insurance, employer Medicare, retirement). The technology and office supplies that they use are purchased via the grant, and the furniture was either existing or provided by Paul Fontaine or a local vendor at no cost.

The benefit that the Town gets, aside from the administrative fee, and control of health services, is services for flu and other clinics, disease tracking, and community outreach, all at no additional cost. Once the IMA is fully signed, the group of towns will be looking to obtain more grants to expand services.

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



**Town of Leicester**  
**OFFICE OF THE TOWN ADMINISTRATOR**

Town Hall, 3 Washburn Square  
Leicester, Massachusetts 01524-1333  
Phone: (508) 892-7000 Fax: (508) 892-707

April 29, 2024

To: Select Board  
From: David Genereux, Town Administrator  
RE: Recommendation – Bids

On April 25, 2024 we opened bids for the Roadway Improvements, Line Painting, Police Floors and the Town Hall Painting Project. Those bids are listed below:

<b>Roadway Improvements</b>	
<b>Vendor</b>	<b>Amount</b>
Lazaro Paving	\$1,096,314.50
Amarillo and Sons	\$1,097,259.53
PJ Keating	\$1,136,114.50
Palmer	\$1,458,898.85
Mass Broken Stone	\$1,021,899.85
PJ Albert	\$1,178,166.40
Lynch	\$1,183,151.50
<b>Line Painting</b>	
<b>Vendor</b>	<b>Amount</b>
Pro-Finish	\$49,297.19
Markings Inc.	\$65,698.46
K5	\$68,510.08
Atlantic Pavement Marking	\$51,931.69
<b>Police Floors</b>	
<b>Vendor</b>	<b>Amount</b>
Serrano and Serrano Constr	\$106,500.00
Excellent Flooring	\$65,678.00
Talty Floors Inc	\$49,500.00
NSI Clean Worldwide Inc.	\$40,000.00
Mass Floors	\$59,196.17
<b>Town Hall Painting</b>	
<b>Vendor</b>	<b>Amount</b>
Katco	\$46,000.00
Obyrne Painting	\$43,980.00
New Generation	\$76,000.00
National Painting Service LL	\$37,500.00
Certa Pro	\$30,461.00
Plan B Construction	\$32,800.00
Scholar Painting and Restor.	\$189,320.00
Fox Painting Co.	\$30,000.00

Mass Broken Stone was the lowest bidder for Roadway Improvements; Pro-Finish for Line Panting, NSI Clean Worldwide Inc. for Police Floors and Fox Painting Co. for Town Hall Painting.

Please contact me with any questions.



Town of Leicester, Massachusetts

# Annual Town Meeting Guide

Spring Annual Town Meeting – May 7, 2024 – 7:00PM

“In the Hands of the Voters”

Meeting location:  
Town Hall Gymnasium  
3 Washburn Square  
Leicester, MA 01524

## Town Rules & Procedures Review

Each Town Meeting is a formal legislative body. As such, we are governed by both Massachusetts General Laws and Chapter Two of Leicester's Town By-Laws. Our proceedings follow "Town Meeting Time, A Handbook of Parliamentary Law", and tradition.

The Town Moderator does not vote, except in cases of a tie vote on the floor.

Town Meetings in Leicester are open only to registered voters.

As members of the town meeting, voters have the right, if they so choose, to present opinions and to ask questions through the moderator in relation to the motion under discussion, and only to the motion under discussion. You have a right to be comfortable with the facts at hand in order to make an informed vote.

A voter wishing to address the meeting through the moderator should approach the microphone and must identify themselves and state their address each time they address the meeting. If it seems that the Moderator is not aware of your desire to speak, please give some signal so that you will be recognized. If you are not able to get to the microphone, please give a signal and a teller or volunteer will bring a microphone to you.

No one may speak to any motion more than twice, except to clarify a point or respond to a question through or from the moderator, and maximum time is ten minutes. Voters must stay on topic with the motion at hand, and personal attacks or slurs of any kind will not be tolerated.

If you have a question as to why something is done in a fashion, feel free to ask. Raise that question or issue with the statement, "Point of Order."

If a member of this meeting wishes to move the question, that motion must be made from the microphone. A motion to move the question will not be accepted from the floor. A motion to move the question simply indicates that at least the individual offering the motion to move the question and person making the second have heard all the debate they feel is needed. A seconded motion to move the question is not a debatable motion. At such time, all debate will cease, and a vote is taken. A 2/3rds majority is required for passage. If the motion to move the question passes, we will immediately vote on the motion which was under discussion in the hands of the meeting. If the motion to move the question is defeated, debate on the motion previously under discussion will resume. This procedure is often misunderstood but is allowed and governed under the By-Laws of the Town of Leicester.

Any motion undertaken by Town Meeting in Leicester may be reconsidered, meaning it can be brought up for a vote a second time. The motion to reconsider a motion must be made within one hour of the taking of the original vote on the motion in question. A motion cannot be brought forward for reconsideration more than once.

Any motion made must be within the scope of the articles posted in the warrant and presented to the moderator in writing.

Respectfully,

Doug Belanger

Town Moderator



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WORCESTER, SS.  
To a Constable in the Town of Leicester,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Leicester qualified to vote in Town Elections and Town Affairs to meet at the Town Hall Gymnasium, 3 Washburn Square, Leicester, MA 01524 on Tuesday, the seventh day of May, 2024 at 7:00 PM, then and there to act on the following articles, namely:

**ARTICLE 1 PRIOR YEAR BILLS**

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

**PROPOSED MOTION**

***Move the Town vote to transfer \$45,601.83 from Free Cash to pay the prior year bills as listed in the May 7, 2024 Town Meeting warrant.***

Department	Vendor	Amount
Legal	Petrini and Associates	\$1,465.80
Legal	Petrini and Associates	\$1,060.88
Legal	Melick & Porter	\$1,008.50
Planning Board	FY23 Stipends	\$1,424.00
DPW	National Grid Electric	\$471.91
DPW	National Grid Electric	\$461.87
DPW	National Grid Electric	\$481.55
DPW	National Grid Electric	\$614.70
DPW	National Grid Electric	\$553.85
DPW	National Grid Electric	\$570.04
DPW	National Grid Electric	\$287.19
Knight Hall (School)	National Grid Electric	\$6,738.14
Knight Hall (School)	National Grid Electric	\$4,442.53
Police	National Grid Gas	\$10,585.81
DPW	Tradebe Environmental Services, Inc.	\$14,743.75
Various Departments	Spectrum Enterprise	\$691.31
Total		\$45,601.83

**ADVISORY COMMITTEE RECOMMENDATION**

Favorable Action (5-0-0)

As in previous years, the Advisory Committee recommends the Town Administrator establish a means to verify invoices and bills are received and paid in a timely manner. The number of bills from previous years has been excessive recently. Town employees who oversee expenditures must be aware of their responsibility to track expenditures from obligation to payment.

**SELECT BOARD RECOMMENDATION**

Favorable action (4-0-0)

**DESCRIPTION**

This article is required for the payment of bills prior to July 1, 2023, that were not submitted by the close of the fiscal year. The legal bills, Planning Board stipends, and Spectrum bills were overlooked due to staff error. The environmental services bill was for a hazardous waste event that was not billed timely. The electric and gas bills are for services that were not previously billed and commenced randomly by National Grid.

**VOTE REQUIRED FOR PASSAGE** Requires a 4/5 vote pursuant to MGL Chapter 44, §64.

**ARTICLE 2 DEPARTMENT AND/OR WARRANT ARTICLE TRANSFERS - FY2024**

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, adjust budgets, transfer to/from or adjust existing warrant articles such sums of money as may be necessary to defray expenses and fund various and diverse accounts in the Fiscal Year 2024 operating budget of the Town, any other warrant articles or take any action thereon.

**PROPOSED MOTION #2A – BUDGET TRANSFERS**

***Move that the Town vote to transfer the following sums, totaling \$369,309.26 as listed in the table under Article 2A of the Town Meeting warrant.***

<b>From</b>	<b>Amount</b>	<b>Reason</b>
FY 2024 Employee Benefits	\$323,309.26	Forecast budget surplus
Unemployment Compensation	\$46,000.00	Forecast budget surplus
<b>Total</b>	<b>\$369,309.26</b>	

<b>To Budget/Article</b>	<b>Amount</b>	<b>Reason</b>
Town Hall Telephones	\$600	Budget insufficient
Town Clerk	\$760.00	Budget insufficient due to the presidential primary and the special election for Massachusetts State Senate seat won by Peter Durant.
Elections	\$35,335	Same as above
Other General Government	\$1,000	Additional funding requested due to the Vote-By-Mail provision of the Presidential primary
Snow & Ice	\$201,000	Annual overage in expenditures for keep the roads clean during winter weather events.
Shared Maintenance (950)	\$85,000	Account at \$47,549.07 with three months remaining. \$50,000 is a buffer against future expenses; \$35,000 is for a painting project for Town Hall that is out to bid.
Stormwater Management ATM 5/22 Art 10	\$264.26	Article in deficit
Fire Hydrant Repair STM 10/22 Art 10	\$6,850	Article in deficit

To Budget/Article	Amount	Reason
Police Flooring STM 10/23 Art 4	\$20,000	Bids are out on this project; original funding of \$44,000 is likely to be insufficient due to rising costs. Additional funding sought to insure there is enough funding to complete the project.
Police Detective Station STM 10/23 Art 4	\$14,000	Project costs exceeding budget
Ambulance Expenses	\$4,500	Former EMS 2005 Chevrolet ambulance was scheduled to be traded in as part of the down payment for a new Ambulance. Vehicle has since been incorporated into the School medical program, leaving the need to fund the trade-in allowance.
<b>Total</b>	<b>\$369,309.26</b>	

#### ADVISORY COMMITTEE RECOMMENDATION

Motion to Divide the Question

To Budget/Article	Advisory Committee Recommendation
Town Hall Telephones	Favorable action (4-0-0)
Town Clerk	Favorable action (4-0-0)
Elections	
Other General Government	Favorable action (3-1-0)
Snow & Ice	Favorable action (4-0-0)
Shared Maintenance (950)	<ul style="list-style-type: none"> <li>Recommend \$35,000 be transferred to Town Hall Building Maintenance (197)</li> <li>Recommend Unfavorable action on creating a \$50,000 "buffer." (4-0-0)</li> </ul>
Stormwater Management ATM 5/22 Art 10	Favorable action (4-0-0)
Fire Hydrant Repair STM 10/22 Art 10	Favorable action (4-0-0)
Police Flooring STM 10/23 Art 4	Favorable action (4-0-0). The Town must improve the procurement process. Solicitations must be based on accurate estimates. While some costs have risen since this item was approved at the October 2023 STM, they have not risen by almost 50%. Based on the reason given above, this request is not based on an actual estimate.
Police Detective Station STM 10/23 Art 4	Favorable action (4-0-0). The Town must improve the procurement process. Solicitations must be based on accurate estimates. While some costs



	have risen since this item was approved at the October 2023 STM, they have not risen by almost 50%.Based on the reason given above, this request is not based on an actual estimate.
Ambulance Expenses	Favorable action (4-0-0) This item could have been unnecessary if the transaction had been better coordinated between Town Hall and the departments.

**PROPOSED MOTION #2B – FUND TRANSFERS**

SELECTBOARD RECOMMENDATION

Favorable action (4-0-0)

DESCRIPTION

This request amends the Fiscal Year 2024 operating budget and various general fund warrant articles with transfers from the FY 2024 Employee Benefits budget.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote.

PROPOSED MOTION #2B – FUND TRANSFERS

***Move that the Town vote to transfer the following sums, totaling \$135,000.00 from Free Cash to the accounts listed in the table under Article 2B of the Town Meeting warrant from Free Cash.***

Fund	Amount	Reason
Other Post-Employment Benefits Fund (OPEB)	\$35,000	Funding sought to continue building the OPEB Stabilization fund
Stabilization Fund	\$100,000	Funding sought to add additional funds to Stabilization
Total	\$135,000	

ADVISORY COMMITTEE RECOMMENDATION

Motion to Divide the Question.

These items should be in separate articles.

The Advisory Committee recommends Favorable Action on transferring \$35,000 to the OPEB account. (4-0-0)

The Advisory Committee recommends the amount transferred to the Stabilization Fund be changed to \$289,217 the amount dictated by the Town Free Cash Policy. (4-0-0)

A stabilization fund is a mechanism for setting aside money either for unforeseen needs or for capital projects. Such a fund is intended to equalize the effect of changes in the economy, reductions in revenues, and capital expenditures over time. Stabilization Funds may be invested in certain interest-bearing accounts. A majority vote by the community at Town Meeting is required to

appropriate funds into the stabilization fund. Town bylaw requires nine-tenths of the community to vote in favor of appropriating money out of the fund.

Since 2019, the Town has only made two deposits into the Stabilization Account totaling \$191,387. During this period, the Town should have contributed \$2,029,529. The lack of Stabilization Fund contributions started almost 2 full fiscal years before the Becker purchase. The Leicester Comprehensive Policy Manual states that the Town will take the following actions:

- 1) At least 10% of free cash shall be reserved and not appropriated.
- 2) At least 25% of the remaining free cash will be placed into the Stabilization Fund or a lesser balance if such an amount is required to meet the Town's Stabilization Fund Policy
- 3) At least 50% of the remaining free cash will be used to fund the capital budget.
- 4) The remaining balance shall be utilized for additional one time needs for non-capital projects and items or shall remain not appropriated.

Fiscal conditions may affect the implementation of this policy. Exceptions to the free cash policy shall be made only under extraordinary circumstances and any such exception shall be explained to the voters.

If this process had been followed since 2019, starting with a \$0 balance, the Stabilization Fund would have an investment balance of \$2,481,000. If invested in low return Treasury Bonds, the Fund would have earned an additional \$345,000 in interest.

Underfunding the Stabilization Fund hurts the Town credit rating and may result in much higher interest rates on borrowing.

#### SELECTBOARD RECOMMENDATION

Favorable action (4-0-0)

#### DESCRIPTION

This request is to add additional reserves to two Stabilization funds. The Town has not been able to make annual contributions due to budgetary limitations early on and the need for funding the maintenance of the high school campus and non-school related buildings from Free Cash. Now that those costs are included in the general fund budget, this transfer can be recommended.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote.

### **ARTICLE 3 ELECTED OFFICIALS SALARIES**

To see what compensation the Town will vote to pay elected officials or take any action thereon.

#### PROPOSED MOTION

***I Move the Town vote to set the rate of compensation to pay elected officials for Fiscal Year 2025 as detailed in the May 7, 2024, Spring Annual Town Meeting Warrant.***

FISCAL YEAR 2025 ELECTED OFFICIALS PAY RATES	
POSITION	PAY RATE
TOWN CLERK	\$84,385
MODERATOR	\$87

SELECT BOARD – CHAIR	\$918
SELECT BOARD – MEMBERS (4) each	\$753
SCHOOL COMMITTEE – CHAIR	\$465
SCHOOL COMMITTEE – MEMBERS (4) each	\$205
PLANNING BOARD – CHAIR	\$334
PLANNING BOARD – MEMBERS (4) each	\$288
BOARD OF HEALTH – CHAIR	\$334
BOARD OF HEALTH – MEMBERS (2) each	\$288
ASSESSOR – MEMBERS (3) each	\$621

ADVISORY COMMITTEE RECOMMENDATION

The Advisory Committee recommends Favorable Action to allocate \$93,946 to compensate elected officials. (4-0-0)

SELECTBOARD RECOMMENDATION

Favorable action (4-0-0) Compensation for elected officials is set by Town Meeting. The proposed FY 2025 elected officials pay rates have been increased by the same cost of living increase given to other non- union staff.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. Chapter 41, Section 108.

**ARTICLE 4 AMEND THE REVOLVING FUND BYLAW**

To see if the Town will vote to amend the revolving fund bylaw, as listed in the Town Meeting warrant, or take any action thereon.

**PROPOSED MOTION**

***I Move the Town vote to amend the Town's revolving fund bylaw, as follows:***

To amend Column C and D of the Leicester Schools Campus Use Revolving Fund as follows:

From:

<b>A Revolving Fund</b>	<b>B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund</b>	<b>C Fees, Charges or Other Receipts Credited to Fund</b>	<b>D Program or Activity Expenses Payable from Fund</b>	<b>E Restrictions or Conditions on Expenses Payable from Fund</b>	<b>F Other Requirements /Reports</b>	<b>G Fiscal Years</b>
Leicester Schools Campus Use	Select Board/Town Administrator	All fees, charges or other receipts collected from the use of the former campus property; and any other funds collected from programs or activities for the use of the property.	All costs associated with the operation of the former Becker property, including utilities, maintenance, repairs, grounds- keeping, and any and all other associated costs.	None	None	Fiscal Year 2022 and subsequent years

To:

<b>A Revolving Fund</b>	<b>B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund</b>	<b>C Fees, Charges or Other Receipts Credited to Fund</b>	<b>D Program or Activity Expenses Payable from Fund</b>	<b>E Restrictions or Conditions on Expenses Payable from Fund</b>	<b>F Other Requirements /Reports</b>	<b>G Fiscal Years</b>
Leicester Schools Campus Use	Select Board/Town Administrator	Fees, charges, short term rental and/or other receipts collected from the use of fields and facilities for athletic events, meetings, gatherings, and social functions on campus property.  Lease and/or long-term rental payments are excluded.	Costs associated with the operation of the property, including but not exclusively for maintenance, event costs, utilities repairs, and grounds keeping., and any and all other associated costs	None	None	Fiscal Year 2022 and subsequent years

**ADVISORY COMMITTEE RECOMMENDATION**

Unfavorable Action (5-0-0) There has been no transparency on funds received from the lease of the dormitories for sheltering. The Town cannot identify the costs associated with the lease, including the cost of town employees and materials. Prior to lease being signed, the Advisory Committee directed the tracking of all revenue and expenses relating to the lease and has been requesting reports since the program was implemented.

**SELECT BOARD RECOMMENDATION**

Favorable action (4-0-0)

**DESCRIPTION**

The Leicester School Campus Use fund was established to take in any receipts received from the use of campus facilities to fund maintenance and repairs. At the time, the assumption was that the funds would come from user fees for daily rent of the turf field or the gym. It was not known that there was the possibility of using unoccupied dormitories for public housing. This requested change to the bylaw allows for the funds received for leases to be established later this year to be used to fund the general fund budget. If the change is not implemented, the budget will have to be reconfigured.



VOTE REQUIRED FOR PASSAGE Requires a simple majority.

**ARTICLE 24 CITIZENS PETITION - Revoke the authority of the Select Board to sell, rent, lease or otherwise dispose of the former Becker Campus real estate and assets.**

To see if the Town will vote to:

To revoke the authorization granted to the Select Board, in Article 3 of the Special Town Meeting held on September 14, 2021, to sell, rent, lease, or otherwise dispose of any or all of the interests in real estate and assets acquired in the purchase of the former Becker Campus. Any further sale, rental, lease, or disposal of the acquired interests in real estate and assets from the former Becker Campus shall require a simple majority of registered voters at a Town Meeting.

**PROPOSED MOTION**

***Motion, if any, to be provided by the Petitioner.***

**ADVISORY COMMITTEE RECOMMENDATION**

**SELECT BOARD RECOMMENDATION**

Unfavorable Action (3-1-0)

**DESCRIPTION**

Citizens petitions are normally placed further back in the warrant and are only moved ahead of other articles if Town Meeting votes to allow it, but as passage of the article as written could potentially affect the FY 2025 Budget, the article has been placed out of order ahead of the budget article.

**ARTICLE 5 FY 2025 OPERATING BUDGET**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2024, and ending on June 30, 2025, as listed in the May 7, 2024, Annual Town Meeting Warrant or take any action thereon.

Note: The Advisory Committee has submitted its own budget for consideration by Town Meeting. It is located in the chart below to the right of the proposed Select Board/Town Administrator's FY 2025 budget.

**PROPOSED MOTION** (Based on the Select Board/Town Administrator's Budget)

***I move the Town vote to approve the budgets of Town departments and Town Accounts as printed in the Annual Town Meeting Warrant for the Fiscal Year beginning July 1, 2024, in the aggregate amount of \$37,574,155 and to fund this amount from the following sources:***

**Transfer from other revenue:**  
**Transfer from Bond Premium**  
**Transfer from Free Cash:**

Town of Leicester  
**\$35,000**  
**\$159,150**  
**\$700,000**

***And the balance of the funds in the remaining sum of \$36,680,005 shall be raised and appropriated by taxation, state aid, and local receipts.***

DEPT #	DEPARTMENT NAME	FY2024 BUDGET	FY25 SB/TA PROPOSED BUDGET	FY25 ADVISORY PROPOSED BUDGET	Difference
111	LEGAL				
	TOTAL	99,000	99,000	70,000	(29,000)
114	MODERATOR				
	TOTAL	200	202	202	0
122	SELECT BOARD				
	TOTAL	428,228	371,208	333,644	(37,564)
130	RESERVE FUND				
	TOTAL	50,000	50,000	50,000	0
131	ADVISORY BOARD				
	TOTAL	1,325	1,325	1,325	0
135	ACCOUNTANT				
	TOTAL	168,592	171,337	175,844	(4,507)
141	ASSESSORS				
	TOTAL	136,124	164,594	162,094	(2,500)
145	TREAS/COLL				
	TOTAL	227,522	247,385	250,949	3,564
147	TAX TITLE				
	TOTAL	32,000	32,000	32,000	0
152	PERSONNEL BD				
	TOTAL	275	275	0	(275)
155	IT DEPARTMENT				
	TOTAL	224,242	243,085	144,000	(99,805)
161	TOWN CLERK				
	TOTAL	148,145	148,532	148,232	(300)
162	ELECTIONS & REGISTRATIONS				
	TOTAL	37,700	51,360	51,360	0
180	LAND USE				
	TOTAL	277,771	135,097	130,499	(4,598)
192	TOWN OWNED BLDG MAINT				
	TOTAL	48,281	51,700	41,500	(10,200)
197	TOWN HALL BLDG MAINTENANCE				
	TOTAL	86,909	92,205	86,959	(5,246)

DEPT #	DEPARTMENT NAME	FY2024 BUDGET	FY2025 SB/TA PROPOSED BUDGET	FY2025 ADVISORY PROPOSED	Difference
198	TOWN HALL TELEPHONES				
	TOTAL	6,400	7,400	7,400	0
199	OTHER - GENERAL GOV				
	TOTAL	33,100	34,100	34,100	0
210	POLICE DEPT				
	TOTAL	2,374,272	2,549,058	2,486,068	(62,990)
220	FIRE DEPT				
	TOTAL	385,872	391,314	391,314	0
290	CODE DEPT				
	TOTAL	132,586	151,933	144,936	(6,997)
241	EMERGENCY MANAGEMENT				
	TOTAL	6,546	6,627	6,627	0
292	ANIMAL CONTROL				
	TOTAL	35,484	36,025	36,025	0
296	INSECT PEST CONTROL				
	TOTAL	7,850	14,700	7,850	(6,850)
310	LEICESTER PUBLIC SCHOOLS				
	TOTAL	20,605,236	20,330,236	21,139,392	809,156
420	DEPARTMENT OF PUBLIC WORKS				
	TOTAL	1,090,114	1,231,211	1,362,903	131,692
423	SNOW & ICE				
	TOTAL	121,000	121,000	121,000	0
424	STREETLIGHTS				
	TOTAL	35,000	35,000	35,000	0
510	BOARD OF HEALTH				
	TOTAL	0	92,594	85,673	(6,921)
541	COUNCIL ON AGING				
	TOTAL	111,800	113,969	113,969	0
543	VETERANS SERVICES				
	TOTAL	108,477	76,150	76,150	0

DEPT #	DEPARTMENT NAME	FY2024 BUDGET	FY2025 SB/TA PROPOSED BUDGET	FY2025 ADVISORY PROPOSED	Difference
545	VETERANS GRAVES REG				
	TOTAL	2,400	2,400	2,400	0
610	PUBLIC LIBRARY				
	TOTAL	244,236	254,333	254,333	0
630	PARKS & RECREATION				
	TOTAL	6,450	6,450	6,450	0
691	HISTORICAL COMM				
	TOTAL	950	950	950	0
692	MEMORIAL DAY COMMITTEE				
	TOTAL	3,000	3,000	3,000	0
710	MATURING DEBT PRINCIPAL				
	TOTAL	1,203,832	1,080,761	1,080,761	0
751	MATURING DEBT INTEREST				
	TOTAL	255,321	220,272	220,272	0
752	TEMPORARY LOAN INTEREST				
	TOTAL	743,889	964,009	964,009	0
753	BOND ISSUE				
	TOTAL	0	0	0	0
911	WORC REG RETIREMENT				
	TOTAL	1,823,365	2,007,244	2,007,244	0
912	WORKER COMPENSATION				
	TOTAL	252,842	290,768	290,768	0
913	UNEMPLOYMENT COMP				
	TOTAL	142,000	78,000	78,000	0
914	EMPLOYEE BENEFITS				
	TOTAL	3,365,365	3,699,601	3,699,601	0
945	BONDING & INSURANCE				
	TOTAL	358,939	679,813	530,000	(149,813)
950	SHARED MAINTENENCE				
	TOTAL	642,090	1,235,932	0	(1,235,932)
Grand Total – All Budgets		36,064,728	37,574,155	36,864,803	(709,352)

## ADVISORY COMMITTEE RECOMMENDATION

### Unfavorable Action (4-0-0)

This budget was poorly developed and includes numerous calculation errors, duplication of costs, and does not address the financial condition of the Town. It was done with the least transparency possible. Contrary to the “Budget Message,” the Administrator did not implement a Zero-Based Budget Model.

Less than a year ago the Town did not have revenue from the shelter lease agreement, now this budget fully relies on this temporary source of revenue to fund operational costs of Town Departments. During its review of the budget, the Advisory Committee identified numerous calculation errors, duplication of costs, line item increases that exceeded inflation or cost increases, and a miscalculation of the number of Town employees. The Advisory Committee submitted questions about the discrepancies but did not receive answers.

The process used to develop this budget violates Massachusetts General Law (MGL) Chapter 39 Section 16, Chapter 41 Sections 59 and 60, and the Town Bylaws.

## SELECTBOARD RECOMMENDATION

### Favorable action (4-0-0)

## DESCRIPTION

This is the fiscal year 2025 operating budget for municipal and school services. Property tax proposed to be levied is within the allowances of Proposition 2 ½. We are utilizing the Governor’s proposed revenue estimates for local aid. This budget, as written, is not reliant on a Proposition 2 ½ override.

Please note the differences between budget allocations as listed below:

- Town Counsel: (\$29,000) Reduced allocation for legal expenditures.
- Town Administrator/Select Board: (\$37,564). Funds removed for HR training, seminars and general investigations, as well as a contractually required employment stipend, employee bonds, “Employee Appreciation Day”, employee physicals and drug testing and energy brokerage services.
- Accounting: \$4,507: Increase in the Town Accountant’s salary budget.
- Assessor: (\$2,500): Reduction in mileage and travel budgets based on FY23 expenses.
- Treasurer/Collector: \$3,564. Increase to Treasurer/Collector staff salary allocations.
- Personnel Board (\$275): Elimination of membership fees for Massachusetts Municipal Human Resources Association.
- IT (\$99,085): Budget for municipal IT programming reduced by 40%; hardware replacement cost reduced from \$18,407 to \$2,000.
- Town Clerk (\$300): Budget reduced in supplies and services lines by 10.26%
- Land Use (\$4,598): Expense budgets for dues, training, office supplies, and subscriptions reduced.
- Town-owned Buildings: (\$10,200): Utilities budgets reduced.
- Town Hall Building Maintenance: (\$5,246): Reduction in utilities and maintenance.
- Police (\$62,990): Elimination of 2 P/T clerk positions; reductions in overtime, utilities and professional services.
- Code (\$6,997): Reduction in Building Inspector’s contractual salary, licenses, office supplies, and training expenses.
- Insect Pest Control: (\$6,850) – Allocation for tree work reduced by 46.60%.
- Education: \$809,156: Budget increased by 3.98%



- Public Works: \$131,692 – Budget increased by moving allocation of funding of 1.5 positions from 950 Shared Maintenance to DPW budget.
- Health Department: (\$6,921) - Salary changes and most expenses removed from allocation.
- Bonding & Insurance (\$149,613) – Insurance costs for campus property added to this budget for FY 2025. Removal of this amount may underfund allocation for payment of premium and deductibles.
- Shared Maintenance Expenses (\$1,235,932) – Allocation eliminated. This budgeted was formed in FY 2023 when maintenance of all school properties was turned over to the town. The recommendation eliminates funding of the school/municipal building maintenance and repair, contracted mowing and grounds services, and shared field scheduling. It also violates the license agreement with the Commonwealth for the shelter program, by eliminating funds required to pay for housing costs.

The Advisory budget has some anticipated revenue changes, in using the House budgets version of local aid, and removes of \$700,000 of Free Cash as a funding source for the general fund budget. Both budgets utilize the same amount of shelter funds in their budget calculation, which could get adversely affect by actions on

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote.

## **ARTICLE 6 VOCATIONAL TUITION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to fund the Vocational Tuition expenses for Leicester students for the fiscal year beginning July 1, 2024 or take any action thereon.

### **PROPOSED MOTION**

***Move the Town vote to raise and appropriate \$967,474 for Vocational Tuition expenses for the Fiscal Year beginning July 1, 2024.***

### **ADVISORY COMMITTEE RECOMMENDATION**

Favorable Action (5-0-0)

### **SELECTBOARD RECOMMENDATION**

Favorable action (4-0-0)

### **DESCRIPTION**

Chapter 74 of the Mass General Laws governs vocational technical education programs in public school districts. This article was moved out of the line-item budget and into a separate warrant article starting in FY16. Tracking these costs independently allows for more accurate accounting of the costs associated with Leicester students attending other schools for vocational education. The Town budgeted \$1,100,000 for vocational tuition last year.

**VOTE REQUIRED FOR PASSAGE** Requires a simple majority vote

## **ARTICLE 7 CENTRAL MASS REGIONAL PLANNING COMMISSION ANNUAL ASSESSMENT**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the FY 2025 assessment from the Central Mass Regional Planning Commission, said assessment to be based on a per capita rate, or take any other action thereon.

PROPOSED MOTION

***Move the Town vote to transfer from Free Cash the sum of \$3,419.11 to fund the FY 2025 assessment, at a rate of 0.30839 per capita from the Central Mass Regional Planning Commission.***

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (5-0-0)

SELECTBOARD RECOMMENDATION

Favorable action (4-0-0)

DESCRIPTION

In accordance with Chapter 40B, Section 7 of the Mass General Laws, the Central Mass Regional Planning Commission requires member municipalities to pay the costs and expenses of the Central Massachusetts Regional Planning District each fiscal year. Leicester is a part of this District. The assessment is based on the population of the Town as it appears in the most recent national census (2020). The payment of this assessment will maintain the Town's services provided by the District.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

**ARTICLE 8 FY 2025 EMS (AMBULANCE) ENTERPRISE ACCOUNT APPROPRIATION**

To see if the Town will vote to appropriate a sum of monies to fund the FY 2025 expenses of the EMS (Ambulance) Enterprise Fund, as established by the vote under Article 8 of the May 3, 2022, Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 1/2, said appropriation to be funded from ambulance receipts, charges, and other income as well as an appropriation from the general fund, or take any action thereon.

PROPOSED MOTION

***Move that the Town vote to appropriate up to \$1,278,496 to fund the FY 2025 expenses of the EMS (Ambulance) Fund, as established by the vote under Article 8 of the May 3, 2022, Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 1/2, said appropriation to be apportioned and funded as follows:***

<b><i>FY 2025 EMS BUDGET</i></b>	<b><i>FY23 Budget</i></b>	<b><i>FY24 Budget</i></b>	<b><i>FY25 Budget</i></b>	<b><i>Dollar Change</i></b>	<b><i>Percent Change</i></b>
<b><i>Salaries</i></b>	<b><i>633,808</i></b>	<b><i>981,136</i></b>	<b><i>1,051,896</i></b>	<b><i>70,760</i></b>	<b><i>7.21%</i></b>
<b><i>Expenses</i></b>	<b><i>117,493</i></b>	<b><i>197,300</i></b>	<b><i>226,600</i></b>	<b><i>29,300</i></b>	<b><i>14.85%</i></b>
<b><i>Total Budget Appropriation</i></b>	<b><i>751,301</i></b>	<b><i>1,178,436</i></b>	<b><i>1,278,496</i></b>	<b><i>100,060</i></b>	<b><i>8.49%</i></b>

***\$1,278,496 anticipated to be charged to the EMS (Ambulance) Enterprise fund.***

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (5-0-0) The sentence below the table is unnecessary and may be misleading. The Ambulance Enterprise Fund has sufficient financial resources to support this budget.

SELECTBOARD RECOMMENDATION

Favorable action (4-0-0)

DESCRIPTION

The EMS/Ambulance enterprise budget is an enterprise fund and is fully funded via user fees.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. Chapter 44, §53F 1/2.

**ARTICLE 9 FY 2025 CABLE PEG ACCESS ENTERPRISE ACCOUNT APPROPRIATION**

To see if the Town will vote to appropriate a sum of moneys to fund the FY 2025 expenses of the Cable Access Enterprise Fund, as established by the vote under Article 5 of the May 1, 2018, Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 3/4, said appropriation to be funded by fees received pursuant to the Town's cable licensing agreement, or take any action thereon.

PROPOSED MOTION

***Move that the Town vote to appropriate up to \$133,408.01 to fund the FY 2025 expenses of the Cable Access Enterprise Fund, which was established by the vote under Article 5 of the May 1, 2018 Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 3/4, said appropriation to be funded by funds available in the Cable PEG Access Enterprise Fund pursuant to the Town's cable licensing agreement.***

ADVISORY COMMITTEE RECOMMENDATION

Favorable action (5-0-0). LCAC provides a valuable service to the community and is instrumental in providing citizens access to view the activities of the public bodies.

SELECTBOARD RECOMMENDATION

Favorable action (4-0-0)

DESCRIPTION

The Department of Revenue requires the Town to budget for the funds received through Charter for Cable PEG Access operations. While these funds are exclusively for Cable Access operations, it must be approved by the voters annually at Town Meeting. There was no budget article at the Spring Town Meeting, so this article both raises and transfers funding from retained earnings to give LCAC access to all available funding in the account.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. c. 44, §53 F3/4.

**ARTICLE 10 FUNDING OPERATIONAL COSTS OF THE LEICESTER HIGH SCHOOL CAMPUS AND ASSOCIATED PROPERTIES**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund operational costs for the Leicester High School Campus and associated properties or take any action thereon.

PROPOSED MOTION

***Move that the article be passed over.***

ADVISORY COMMITTEE RECOMMENDATION

Pass Over

SELECTBOARD RECOMMENDATION

Recommended to pass over (4-0-0)

DESCRIPTION

This article was placed on the warrant as a placeholder, but as it appears the transfer made in October still has significant funding, and the campus maintenance is now in the general fund budget, the recommendation is to pass over the article.

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

**ARTICLE 11 FY 2025 CAPITAL IMPROVEMENT PLAN**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Capital Improvement Plan budget beginning July 1, 2024 and authorize the Select Board to enter into lease purchase agreement(s) for a term of years and to transfer from available funds a sum of money to pay for the initial installments of the lease/purchase agreement(s), or take any action thereon.

PROPOSED MOTION

**Move that the Town vote to transfer the sum of \$300,000 from Free Cash into the Capital Stabilization Fund.**

ADVISORY COMMITTEE RECOMMENDATION

Motion to Amend

The Advisory Committee recommends the amount transferred to the Capital Stabilization Fund be changed to \$433,825, the amount dictated by the Town Free Cash Policy which states that 50% of Free Cash will be used to fund capital after funds for the reserve and the general stabilization fund have been appropriated. (4-0-0)

A Capital Stabilization Fund is a mechanism for setting aside money for major capital expenses. Stabilization Funds may be invested in certain interest-bearing accounts. Such a fund helps the town make regular deposits into the fund while earning interest to apply towards capital purchases. A majority vote by the community at Town Meeting is required to appropriate funds into the stabilization fund. Two-thirds of the community must vote to appropriate money out of the fund.

If this process had been followed since 2019, starting with a \$0 balance, the Stabilization Fund would have an investment balance of \$3,044,294 and, if invested in low return Treasury Bonds, \$516,958 in interest. The Town could have purchased all the items on the FY 2025 Capital Improvement Plan spreadsheet with just the interest.

SELECTBOARD RECOMMENDATION

Favorable action (4-0-0)

DESCRIPTION

While there is a listing of items in the Capital Plan, it is not complete. We intend to work with the Capital Committee over the summer to reprioritize the plan, in order for it to be part of the FY 2026 budget process with some necessities potentially funded at Fall Town Meeting. In the meantime, the request is to transfer funds into the Capital Stabilization Fund to preserve funding for the Capital Plan.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote.

## **ARTICLE 12 POLICE CRUISERS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase and equip up to two (2) police vehicles or take any action thereon.

### **PROPOSED MOTION**

***Move the Town vote to transfer \$100,000 from Free Cash and \$49,930 from the FY2024 Employee Benefits budget to purchase and equip two (2) police vehicle(s)***

### **ADVISORY COMMITTEE RECOMMENDATION**

Unfavorable action (4-1-0). The Advisory Committee fully supports outfitting all town departments with quality equipment and vehicles. However, given the uncertainty of the Town financial condition, the Committee feels this purchase should be delayed. In addition, the purchase of vehicles should be managed through the Capital Improvement Plan. Though the vehicles are generally retained by the Police Department for fewer than 5 years, they are transferred to other departments when they are replaced.

### **SELECT BOARD RECOMMENDATION**

Favorable action (4-0-0)

### **DESCRIPTION**

The Police Department utilizes a fleet of ten (10) vehicles to meet the law enforcement needs of the residents of Leicester. This fleet of vehicles includes five (5) frontline marked police cruisers that are used daily. The Town has been following a fleet replacement schedule that includes the replacement of one to two cruisers annually to ensure the full use and reliability of the fleet.

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

## **ARTICLE 13 TRANSFER PROCEEDS FROM SALE OF VICTORIAN PROPERTIES FROM RECEIPTS RESERVED FOR APPROPRIATION TO RECEIPTS RESERVED FOR EXPENDITURE**

To see if the Town will vote to transfer from receipts reserved for appropriation to receipts reserved for expenditure a sum of money to pay debt principal associated with the borrowing to acquire the former Becker campus, or take any action thereon.

***Move the Town transfer \$1,235,000 from Receipts Reserved for Appropriation to Receipts reserved for Expenditure to pay debt principal associated with the borrowing to acquire the former Becker campus.***

### **ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (5-0-0). This transaction is necessary to apply the proceeds from the sale of the former Becker Colonials toward the loan principal.

### **SELECTBOARD RECOMMENDATION**

Favorable action (4-0-0)

### **DESCRIPTION**



This article seeks to transfer the funds acquired from the sale of the former Becker campus dormitories to reduce the debt on the purchase of the property. Total proceeds from the sale were \$1,235,000.

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

#### **ARTICLE 14 BORROWING RECISSION**

To see if the Town will vote to rescind an outstanding borrowing authorization, in the amount of \$7,000,157.00 which was authorized as part of the \$8,900,157 borrowing authorization voted as Article 3 of the October 20, 2015 special town meeting, or take any action thereon.

##### **PROPOSED MOTION**

**Move that the article be accepted as written.**

##### **ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (5-0-0). This article does not impact the amount of funds the Town has on-hand. It simply ends the ability to borrow against an authorization from 2015.

##### **SELECTBOARD RECOMMENDATION**

Favorable action (4-0-0)

##### **DESCRIPTION**

This is a housecleaning measure to remove an outstanding borrowing authorization on the Library remodeling project.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

#### **ARTICLE 15 BORROWING RECISSION**

To see if the Town will vote to rescind an outstanding borrowing authorization, in the amount of \$400,000.00 which was authorized as part of the \$400,000 borrowing authorization voted as Article 8 of the October 19, 2019 special town meeting, or take any action thereon.

**Move that the article be accepted as written.**

##### **ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (5-0-0). This article does not impact the amount of funds the Town has on-hand. It simply ends the ability to borrow against an authorization from 2019.

##### **SELECTBOARD RECOMMENDATION**

Favorable action (4-0-0)

##### **DESCRIPTION**

This is a housecleaning measure to remove an outstanding borrowing authorization for the redirection of drainage from the new fire station. Funds to accomplish this project were paid via ARPA.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

**ARTICLE 16 ESTABLISH REVOLVING FUND ANNUAL SPENDING LIMITS**

To see if the Town will vote to set annual spending limits for revolving accounts as detailed in the hands of the voters and as defined by Massachusetts General Laws, Chapter 44, § 53E½ for Fiscal Year 2025, or take any action thereon.

**PROPOSED MOTION**

***Move the Town vote to set annual spending limits for revolving accounts as detailed in the warrant and as defined by Mass General Laws, Chapter 44, § 53E½, for Fiscal Year 2025.***

Revolving Fund	Spending Limit
Leicester Schools Campus Use	\$500,000
Inspectional Services	\$50,000
Health Clinics	\$5,000
Senior Center Programs	\$10,000
Fuel Usage	\$35,000
Town Hall	\$15,000
Recycling	\$30,000
Police Training	\$5,000
Recreation	\$20,000
One-to-one Technology	\$25,000
DIS Fees	\$5,000
Library Copier	\$5,000
Tree Lighting	\$20,000
EV Charging	\$2,000
Agricultural Land Acquisition	\$100,000
Founder's Day	\$100,000

**ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (5-0-0)

**SELECTBOARD RECOMMENDATION**

Favorable action (4-0-0)

**DESCRIPTION**

Under MGL Chapter 44, Section 53E½ as amended through the Municipal Modernization Act of 2016, Town Meeting is required to vote on the amount that may be spent from each revolving fund established through the Town's General Bylaws during the upcoming fiscal year prior to July 1<sup>st</sup>.

**VOTE REQUIRED FOR PASSAGE** Requires a simple majority vote.

**ARTICLE 17 EXEMPT THE POSITION OF POLICE CHIEF FROM CIVIL SERVICE**

To see if the Town will vote the following to exempt the position of Police Chief from Civil Service:

Section 1. Notwithstanding the provisions of any general or special law to the contrary, the position of Police Chief in the Town of Leicester shall be exempt from the provisions of Chapter 31 of the General Laws.

Section 2. The provisions of Section 1 shall not impair the civil service status of any incumbent holding the office of Police Chief in the Town of Leicester on the effective date of this act.

Section 3. This act shall take effect upon its passage.

**ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (4-0-0). It is important to note that favorable action on this Article does not exempt the position of Police Chief from Civil Service. This Article authorizes the Town to petition the State Legislature to exempt the position of Police Chief from Civil Service.

**SELECT BOARD RECOMMENDATION**

Favorable action (3-0-1)

**PROPOSED MOTION**

***Move the article be accepted as written.***

**DESCRIPTION**

While Town meeting voted previously to support the exemption of the Police Chief from Civil Service, we have been advised to reauthorize the exemption through this article.

**VOTE REQUIRED FOR PASSAGE** Requires a simple majority.

**ARTICLE 18 PETITION TO EXTEND POLICE CHIEF'S SERVICE TO THE TOWN**

To see if the Town will vote to authorize the Select Board to petition the General Court to adopt a special act, as set forth below, to allow Kenneth M. Antanavica to continue to serve in the Position of Police Chief until April 30, 2027, provided, however, that the General Court may make administrative or editorial changes of form only to the bill, unless the Select Board approves amendments thereto before enactment by the General Court, which amendment shall be within the public purpose of said petition;

Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same as follows;

Section 1. Notwithstanding any general or special law to the contrary, Kenneth M. Antanavica, Police Chief of the Town of Leicester, may continue to serve in the position of Police Chief until April 30, 2027, or until the date of his retirement, non-reappointment, or the date he is relieved of his duties by the town, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. No further deductions shall be made from the regular compensation of Kenneth M. Antanavica under Chapter 32 of the General Laws for any service subsequent to April 30, 2025, and upon retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on that date.

Section 2. This act shall take effect upon its passage.

Or take any action relative thereto.

**PROPOSED MOTION**

***Move the article be accepted as written.***

ADVISORY COMMITTEE RECOMMENDATION

Favorable action (4-1-0). As with Article 17, favorable action on this Article does not extend the Police Chief's retirement age. This Article authorizes the Town to petition the State Legislature to extend the Chief's service.

SELECT BOARD RECOMMENDATION

Favorable action (3-0-1)

DESCRIPTION

Chief Antanavica reached retirement age in April of 2023. Special legislation was passed to allow him to work 1 year beyond his retirement date. The original goal was to have the Chief provide steady leadership while the Police Department, which had a number of vacancies, rebuilt its staff, and a new chief was recruited. The Town is in a better position due to a number of successful recruitments, but still faces challenges in recruiting a new Police Chief.

That process has been paused until the Chief's position can be removed from Civil Service, which is being sought through Article 17 of this Town Meeting. Once these two articles are passed by Town Meeting and enacted by the State Legislature, we will be able to move forward.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

**ARTICLE 19 AMMENDMENT TO ACCEPTANCE OF MGL CHAPTER 40, SECTION 57 – LOCAL LICENSES AND PERMITS: DENIAL, REVOCATION OR SUSPENSION FOR FAILURE TO PAY MUNICIPAL TAXES AND CHARGES (ORIGINALLY ACCEPTED ON 5/03/1993).**

To see if the Town will vote to accept the current MGL Chapter 40 Section 57 as amended; eliminating the current minimum 12-month delinquency requirement and directing the tax collector to disseminate a delinquency list to the community's permitting or licensing boards on a more frequent schedule or take any action thereon.

PROPOSED MOTION

***Move the article be accepted as written.***

ADVISORY COMMITTEE RECOMMENDATION

Favorable action (5-0-0). Acceptance of this law provides another tool for the Treasurer/Collector to use in conjunction with the department responsible for licensing.

SELECT BOARD RECOMMENDATION

Favorable action (4-0-0)

DESCRIPTION

The municipal modernization act had amended the law and removed the 12-month schedule of taxpayer delinquency. The amended law, which is subject to local acceptance eliminates the current minimum 12-month delinquency requirement and directs the collector to disseminate a delinquency list to the community's permitting or licensing boards on a more frequent schedule.

VOTE REQUIRED FOR PASSAGE Requires a simple majority.

**ARTICLE 20 ACCEPTANCE OF UPDATED MGL CHAPTER 44, SECTION 54 – INVESTMENT OF FUNDS PURSUANT TO THE PRUDENT INVESTMENT RULE.**

To see if the Town will vote to accept MGL Chapter 44, Section 54 (b)(1) of the General Laws, for the purpose of management of trust funds held in its custody as a combined investment pool for the purpose of investing said funds in accordance with the provisions of the Massachusetts Prudent Investor Act of Chapter 203C of the General Laws. If any provision of this paragraph conflicts with the terms of a bequest, trust, or other instrument that expresses the clear intent of the donor, then such funds may be managed and invested only in accordance with the terms of such bequest, trust, or other instrument or take any action thereon.

**PROPOSED MOTION**

***Move the article be accepted as written.***

**ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (5-0-0) Favorable action on this article provides more opportunity to invest funds held in trust.

**SELECT BOARD RECOMMENDATION**

Favorable action (4-0-0)

**DESCRIPTION**

Acceptance of this section of MGL will allow for Town trust funds to be invested in with stocks and other investments outside of the Massachusetts Legal List for public investment based on rules contained within the legislation. It will allow these funds to earn a better return with minimal risk of loss due to the quality of the available investments. If the terms of a bequest, trust, or other instrument expresses the clear intent of the donor to invest differently, the section mandates that the funds be invested according to the wishes of the donor.

**VOTE REQUIRED FOR PASSAGE** Requires a simple majority.

**ARTICLE 21 AMEND THE ZONING MAP**

To see if the Town will vote to amend the Zoning Map, by altering the district boundaries, as listed, by parcel, in the Spring Annual Town Meeting Warrant or take any action thereon.

**PROPOSED MOTION**

***The Planning Board recommends the article be passed over.***

**ADVISORY COMMITTEE RECOMMENDATION**

Pass Over

**SELECT BOARD RECOMMENDATION**

No Recommendation

**DESCRIPTION**

The purpose of this amendment to the zoning bylaw is to provide a developmental stone between residential and commercial/industrial districts. We have been advised that the Planning Board does not want to move with the article at this time.

VOTE REQUIRED FOR PASSAGE Requires a two-thirds majority vote**ARTICLE 22 AMEND SECTIONS 5.5 AND 3.2.02 OF THE ZONING BYLAW TO ADD MIXED USE AND HORIZONTAL MIX TO THE HB-1 DISTRICT.**

To see if the Town will vote to amend the Zoning Bylaws to include the addition of Mixed Use, Horizontal Mix to the HB-1 District to Section 3.2.02 (Schedule of Use), and Section 5.5 as described below:

**5.5 Highway Business Industrial District 1 (HB-1 & HB-2)**

5.5.1.2 : HB-1 Mixed Use– (Horizontal Mix) - Mixed use developments shall have both a residential and a commercial component, regardless of the composition of uses, all mixed use projects shall be scaled to ensure consistency with the surrounding neighborhoods. Mixed use projects can utilize “horizontal “mixed use where commercial, office, and residential uses are designed as a single project, yet constructed in separate and distinct building footprints.

**5.5.1.3 HB-1 Mixed Use, Horizontal Mix Density Requirements**

Residential Density	
Units/Acre (max)	20
Units/Acre (minimum)	5

Minimum Commercial Requirements <sup>1, 2</sup>	
Overall Project Size	Minimum Commercial Building Area Required
Up to 3 Acres	1,500 square feet
3-5 Acres	2,500 square feet
5-7.5 Acres	3,500 square feet
7.5-10 Acres	4,500 square feet
10-15 Acres	5,500 square feet
15-20 Acres	6,500 square feet
20+ Acres	7,500 square feet

<sup>1</sup> The Planning Board may authorize a reduction in the amount of minimum commercial building area if the Board can make findings supported by substantial evidence, including market analysis submitted by the applicant, demonstrating that the goals and intent of the HB-1 zone are being achieved with the project as designed.

<sup>2</sup> The Planning Board may authorize a reduction in the minimum amount of commercial building area if the amount of mandatory land set aside 20% Open Space and 10% useable outdoor space.

**5.5.01. 4 Design standards for Mixed Use, Horizontal Mix**

1. Newly constructed buildings should not overwhelm or disregard the adjacent context with regard to building location, scale, bulk, massing, material, color, texture and fenestration.
2. Contemporary designs should respect the traditional character of their context and maintain the

- front setback established by neighboring buildings.
3. Distinguishing features, historic elements and examples of craftsmanship should not be removed or covered during the alteration of existing older structures. Where damaged, they should be restored or recreated.
  4. Signage, awnings, light fixtures and other applied elements should not cover architectural details, and should be in scale with the building facade and its immediate context. Generally, materials that have been applied to cover older traditional facade elements should be removed and not replaced.
  5. Materials used should be of high quality and durability, and should complement existing contextual materials.
  6. Consider the effect of small-scale details on visual appeal for pedestrians.
  7. Consider the effect of overall forms, materials and colors on visual appeal for drivers.
  8. All service entrances, dumpsters and loading facilities should be located at the rear of buildings. They should be screened from view with solid wood fencing, a masonry wall and/ or landscaping from public streets and parking areas.
  9. Equipment (such as air conditioner units or exhaust fans) should be screened from view, and located either in the rear of the building or on the roof. No equipment should be mounted on street facade(s) or be visible from the street or customer parking areas.
  10. Break up long expanses of blank wall with pilasters to suggest structural bays, or vary massing and/ or roofline to provide visual interest.
  11. Break up vertical massing with materials or trim that define a distinct base, middle and top
  12. Colors should be complementary and harmonic, and not clash on any given facade. Developer should not use the entire building as a brand identity package in such a way that it becomes an "attractive nuisance."
  13. Applied elements - Such as railings, awnings, signage and light fixtures - Should coordinate with, rather than overwhelm the proportions of the building.
  14. If equipment is mounted behind louvered panels or other visual screen, screening should be oriented to conceal the equipment from view from any public way or private residence and finished to obscure.
  15. Visible roof vents, and other roof elements and penetrations, should be finished to match adjacent roof color.
  16. Windows and Doors should reflect the style of the building itself in scale, proportion and construction. Storefront windows and doors can utilize modern framing systems, but it is preferred that glazing not extend to the ground.
  17. Appropriately scaled lighting fixtures are recommended.
  18. Free-standing fixtures should be coordinated in appearance with building-mounted light fixtures.
  19. Landscape lighting is encouraged.
  20. Expanses of blank wall should be softened through the use of landscape treatments such as foundation plantings or trellises.
  21. Chain link fencing is discouraged.
  22. Landscaping should be designed with consideration of nearby building, walkways and parking areas.
  23. Parking lots should be designed with landscaped islands, and islands between buildings, roads and walkways should be abundantly planned to create a strong horticulture character throughout the year
  24. All landscaping shall be scaled appropriately for pedestrian traffic and properly maintained in a healthy condition or take any action thereon.

## PROPOSED MOTION

To accept Article 21 with the following corrections:

**Section 3.2.02:**

The use requires a Special Permit

**Section 5.5.01.2:**

To include the addition of “All Highway Business Industrial District 1 (HB-1) Mixed use projects are subject to Site Plan Review standards as outlined in Section 5.2 and Section 5.5.02 through 5.5.02.3 except as detailed in section 5.5.01.3.”

**Section 5.5.01.3:**

- To change the residential density to 6 units per acre
- To remove the minimum number of units per acre required
- To change commercial building area to be 40%
- To change residential building area to be 60%
- To change the required residential parking spaces per unit to be 1.6
- To change required commercial parking spaces to be 4 spaces per 1000 SF
- To change footnote number 1 to read: The Planning Board may authorize a reduction in the minimum amount of commercial building area if the amount of mandatory land set aside is equal to 20% Open Space.
- The addition of footnote number 2 “Waivers for commercial building area will be considered for recreational facilities incidental to the residential use.”

**Section 5.5.01.4**

- To remove number 6: ~~Consider the effect of small-scale details on visual appeal for pedestrians.~~
- To remove number 7: ~~Consider the effect of overall forms, materials and colors on visual appeal for drivers.~~
- To change number 10 so as to read: *Long expanses of blank wall shall be broken up* with pilasters or similar architectural features to suggest structural bays or vary massing and/ or roofline to provide visual interest.
- To change number 11 so as to read: *Vertical massing shall be broken up* with materials or trim that define a distinct base, middle and top.
- To change number 15 so as to read Visible roof vents, and other roof elements and penetrations, should be finished to match adjacent roof color when possible. If color matching is not possible, roof elements **shall** be screened from view.
- To add number 25: *All landscaping shall be chosen from the Town of Leicester approved native plantings list*
- To add number 26: *All exterior lighting shall be Dark Sky Compliant.*

***Move the article be accepted as written.***

**ADVISORY COMMITTEE RECOMMENDATION**

Favorable action (5-0-0). This amendment will support smart development to bolster the Town’s economic base.

**SELECT BOARD RECOMMENDATION**

Favorable action (4-0-0)



## DESCRIPTION

To amend the Zoning Bylaws to provide for the allowance of Mixed Use, Horizontal Mix. This use would allow for the construction of developments which would have a residential and commercial use constructed on the same lot. The proposed amendment contains design and density standards for both residential and commercial components in order to ensure that new developments are scaled and consistent with the surrounding area.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds majority vote.

## ARTICLE 23 BATTERY ENERGY STORAGE FACILITIES BYLAW

To see if the Town will vote to amend the zoning bylaws to add the following Battery Energy Storage Bylaw as Section 5.19. The bylaw will include definitions added to Section 1.3, Additions to the Schedule of Uses under 3.2.05 and the following zones not outlined under Section 3.2: 3.30 Business Residential -1 Zone (BR-1), 3.32 Residential Industrial Business Zone (RIB), and 5.6 Greenville Village Neighborhood Business District (NB).

### Section 1.3 Definitions

**Battery(ies):** A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this bylaw, batteries utilized in consumer products are excluded from these requirements.

**Battery Energy Storage Management System:** An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

**Battery Energy Storage System (BESS):** One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A Battery Energy Storage System is classified a Tier 1, Tier 2, Tier 3, or Tier 4 BESS as follows:

1. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity equal to 250KWh or less and, whose purpose is to store energy from residential solar energy systems if in a room or enclosed structure, consisting of only a single energy storage system technology.
2. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity equal to 250KWh or less and, whose purpose is to store energy from commercial solar energy systems if in a room or enclosed structure, consisting of only a single energy storage system technology.
3. Tier 3 Battery Energy Storage Systems are defined as those that are interconnected to high voltage transmission lines and have an aggregate energy capacity greater 250 KWh but less than or equal to 10 MWh.
4. Tier 4 Battery Energy Storage Systems are defined as those that are interconnected to high voltage transmission lines and have an aggregate energy capacity greater than 10 MWh. The facility must comply with the State's most current electrical code (527 CMR. 12.00) and the State's most current Fire Code (527 CMR 1.00)

**Cell:** The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

**Commissioning:** A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

**Dedicated-Use Building:** A building that is built for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 occupancy as defined in the

International Building Code, and complies with the following:

1. The building's only use is battery energy storage, energy generation, and other electrical grid- related operations.
2. No other occupancy types are permitted in the building.
3. Occupants in the rooms and areas containing battery energy storage systems are limited to personnel that operate, maintain, service, test, and repair the battery energy storage system and other energy systems.
4. Administrative and support personnel are permitted in areas within the buildings that do not contain battery energy storage system, provided the following:
  - a. The areas do not occupy more than 10 percent of the building area of the story in which they are located.
  - b. A means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing battery energy storage systems or other energy system equipment.

### **3.2.05 Transportation, Communication, Utility**

	SA	R1	R2	B	CB	I	BI-A	HB-1	HB-2
Tier 3 and 4 Battery Energy Storage Systems (standalone)	N	N	N	SP	N	SP	SP	SP	SP
Tier 1 Residential Battery Energy Storage Systems	Y	Y	Y	Y	Y	Y	Y	Y	Y
Tier 2 Battery Energy Storage Systems	SP	SP	SP	SP	SP	SP	SP	SP	SP

#### **Section 3.30 Business Residential -1 Zone (BR-1).**

43: Tier 3 and 4 Battery Energy Storage Systems are prohibited

44: Tier 1 Residential Battery Energy Storage Systems are allowed

45: Tier 2 Battery Energy Storage Systems are allowed by Special Permit (Planning Board SPGA)

#### **Section 3.32 Residential Industrial Business Zone (RIB)**

E: Tier 3 Battery Energy Storage Systems are prohibited

3.32.B.o: Tier 1 Residential Battery Energy Storage Systems are allowed

3.32.B.p: Tier 2 Battery Energy Storage Systems are allowed by Special Permit (Planning Board SPGA)

#### **Section 5.6 Greenville Village Neighborhood Business District (NB)**

5.6.04.5: Tier 3 Battery Energy Storage Systems are prohibited

5.6.02.2.L: Tier 1 Residential Battery Energy Storage Systems are allowed

5.6.03.6 Tier 2 Battery Energy Storage Systems are allowed by Special Permit (Planning Board SPGA)

### **5.19 Battery Energy Storage Systems (BESS)**

#### **A. Purpose.**

The purpose of this bylaw is to provide for the construction and operation of Battery Energy Storage Systems (BESS) and to provide standards for the placement, design, construction, monitoring, modification and removal of energy storage systems that address public safety, protection of the Town and private drinking water supply, minimize impacts on scenic, natural and historic resources of the Town of Leicester, and provide adequate financial assurance for decommissioning. The provisions set forth in this section shall take precedence over all other

sections when considering applications related to the construction, operation, and/or repair of Battery Energy Storage Systems.

**B. Definitions** – Refer to definitions in Section 1.3

**C. Applicability**

1. Building-integrated Battery Energy Storage Systems

- a. Battery Energy Storage Systems that are building-integrated, whether a residential or commercial building, energy storage systems shall not be erected, constructed, installed, or modified as provided in this section without first obtaining a building permit from the Building Inspector.
- b. Building-integrated energy storage systems may be coupled with rooftop solar or behind the meter applications for peak shaving.
- c. Building-integrated battery energy storage systems may be located in any zoning district of the Town of Leicester.

2. Co-located Battery Energy Storage Systems

- a. Battery Energy Storage Facilities are encouraged to co-locate with solar photovoltaic installations, energy, power generation stations, and electrical sub-stations. Leicester Zoning
- b. Battery Energy Storage Systems associated with on-site solar power generation shall be permitted in the same districts as Large-Scale Solar Arrays by Special Permit and Site Plan Review.
- c. If co-located with a solar photovoltaic installation, the BESS shall not exceed the necessary capacity and size generated by the output of the co-located solar photovoltaic installation.

3. Battery Energy Storage systems not associated with on-site solar generation shall only be permitted in the Business (B), Industrial (I), Business-Industrial A (BI-A), Highway Business-Industrial District 1, and Highway-Business-Industrial District 2, districts, and shall require a Special Permit and Site Plan Review from the Planning Board. Battery Energy Storage

Systems not associated with on-site solar generation are prohibited in the Water Resource Protection Overlay District

- a. The nameplate capacity of an Energy Storage system shall not exceed the total kw of renewable energy being produced on the 3-phase distribution line that the energy storage system will be interconnected to.
- b. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this bylaw.

**D. General Requirements**

- 1. In accordance with Section C above, all Tier 2, Tier 3 and Tier 4 battery energy storage systems shall require a special permit and site plan approval by the Planning Board prior to construction, installation, or modification as provided in this bylaw.
- 2. The construction, operation, and decommissioning of all battery storage energy storage systems shall be consistent with all applicable local, state, and federal requirements, including

but not limited to all applicable environmental, safety, construction, fire, and electrical requirements.

3. A building permit and an electrical permit shall be required for installation of all battery energy storage systems.

### **E. Application Materials**

1) In addition to requirements of Section 6.12 Site Plan Review the application for a Special Permit under this Section 5.20 shall include the following:

- a. A site plan prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts, that shows the following:
- b. An existing condition plan with property lines and physical features, including topography and roads, characteristics of vegetation (trees mature, old growth, shrubs, open field, etc.), wetlands, streams, ledge, for the project site;

1) Proposed changes to the landscape of the site, including grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures, driveways, snow storage, and storm water management systems; including total acreage of disturbed area, total vegetation cleared, not including mowed fields;

2) Trees with a DBH of 20" or greater within project parcel(s) shall be identified to determine tree loss, along with inventorying of diseased or hazard trees slated to be removed due to proposed development;

3) Property lines and physical dimensions of the subject property with contour intervals of no more than 10 feet;

4) Property lines of adjacent parcels within 300 feet.

5) Location, dimensions, and types of existing major structures on the property;

6) Location of the proposed battery energy storage structures, foundations, and associated equipment;

7) The right-of-way of any public road that is contiguous with the property;

8) Any overhead or underground utilities;

9) At least one color photograph of the existing site, measuring eight (8) inches by ten (10) inches;

10) Locations of active farmland and prime farmland soils, wetlands, permanently protected open space, Priority Habitat Areas and BioMap 2 Critical Natural Landscape Core Habitat mapped by the Natural Heritage & Endangered Species Program (NHESP) and "Important Wildlife Habitat" mapped by the DEP;

11) Locations of floodplains or inundation areas for moderate or high hazard dams;

12) Locations of local or National Historic Districts; and

13) Stormwater management and erosion and sediment control.

- a. A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed, including manufacturer and model. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
  - b. One- or three-line electrical diagram showing associated components, and electrical interconnection methods, with all NEC compliant disconnects and overcurrent devices.
  - c. Contact information and signature of the project proponent, as well as all co-proponents, if any, and all property owners.
  - d. Contact information and signature of agents representing the project proponent, if any;
  - e. Contact information for the person(s) responsible for public inquiries throughout the life of the system.
  - f. An operations and maintenance plan for Battery Energy Storage System. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information.
    - i) Energy Storage System technical specifications, including manufacturer and model.
  - g. Electrical schematic.
  - h. Documentation that shows the owner of the Energy Storage System has site control, which shall include easements and access roads.
  - i. Documentation that shows the owner of the Energy Storage System has notified the electric utility of this installation.
- j. Emergency Operations Plan. A copy of the approved Emergency Operations Plan shall be given to the system owner, the local fire department, and local fire code official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe startup following cessation of emergency conditions.
  2. Procedures for inspection and testing of associated alarms, interlocks, and controls.
    - i.) This includes hazmat appliances for conducting atmospheric monitoring with a scientific officer to support.
  3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
  4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
  5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.

6. Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
7. Other procedures as determined necessary by the Town to provide for the safety of occupants, neighboring properties, and emergency responders.
8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.
  - i.) Trainings must be provided and organized by the applicant.
- k. Proof of liability insurance: The applicant shall be required to provide evidence of liability insurance in an amount and for a duration sufficient to cover loss or damage to persons and property caused by the failure of the system.
- l. A noise study, prepared by a qualified individual with experience in environmental acoustics, to assess the impact of all noise sources generated from the project to abutting properties, and determine the appropriate layout, design, and control measures. The report should include details of assessment methods, summarize the results, and recommend the required outdoor as well as any indoor control measures.

## **F. Design and Site Standards**

1. In addition to the standards for Special Permit and Site Plan Review in the Zoning Bylaw, the applicant shall adhere to the following standards and provide such information on the site plan:
  - a. Utility Lines. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility.
  - b. Signage. The signage shall include the type of technology associated with the systems, any special hazards associated, the type of suppression system installed, and 24-hour emergency contact information. All information shall be clearly displayed on a light reflective surface. Clearly visible warning signs concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
  - c. Lighting. Lighting of the systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.
  - d. Setbacks. Battery Energy Storage Systems not co-located with solar photovoltaic installations shall adhere to a fifty (50) foot setback from the front, side, and rear property lines and shall adhere to a one hundred fifty (150) foot setback from any residential buildings. . BESS's shall also adhere to a one hundred (100) foot setback from water wells (both private and public) located either on-site or on abutting properties.
  - e. Fire protection. Battery Energy Storage Systems not co-located with solar photovoltaic installations shall be located on properties serviced by the public water system or by a water supply acceptable to the Planning Board and Leicester Fire

Department.

- f. **Vegetation and Tree-Cutting.** Areas within ten (10) feet on each side of a system shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees or shrubbery and cultivated ground covers such as green grass, ivy, succulents, or similar plants shall be exempt provided that they do not form a means of readily transmitting fire. Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the system and that which is otherwise prescribed by applicable bylaws and regulations.
- g. **Noise.** The 1-hour average noise generated from the systems, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA as measured at the property line.

### **G. Safety System Certification.**

Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- a. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- b. UL 1642 (Standard for Lithium Batteries),
- c. UL 1741 or UL 62109 (Inverters and Power Converters),
- d. Certified under the applicable electrical, building, and fire prevention codes as required.
- e. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

### **H. Special Permit Criteria**

- 1. The Planning Board may approve an application if the Board finds that the system complies with the Site Plan Review and Approval criteria and with the conditions for granting Special Permits. Battery energy storage systems shall also satisfy the following additional criteria:
  - a. Environmental features of the site are protected, and surface runoff will not cause damage to surrounding properties or increase soil erosion and sedimentation of nearby streams and ponds.
  - b. The Planning Board may also impose conditions as it finds reasonably appropriate to safeguard the town or neighborhood including, but not limited to, screening, lighting, noise, fences, modification of the exterior appearance of electrical cabinets, battery storage systems, or other structures, limitation upon system size, and means of vehicular access or traffic features.

- c. No occupancy permit shall be granted by the Building Commissioner, nor shall the site be energized or interconnected to the utility until the Planning Board has received, reviewed, and approved an as-built plan that demonstrates that the work proposed on the approved site plan, including all stormwater management components and associated offsite improvements, have been completed in accordance with the approved plan and certified same to the Building Commissioner.
- d. The Planning Board may, in its discretion, approve an as-built plan upon provision of a type of surety as determined by the SPGA, to secure incomplete work where such work is not immediately necessary for lawful operation of the system without negative effect on public health and safety and surrounding properties.
- e. The applicant shall make every effort to coordinate necessary surveying and finalization of the as-built plans and submission of required construction control documents prior to the conclusion of construction. Notwithstanding the above, a temporary occupancy permit may be granted with the approval of the Planning Board subject to conditions for completion of work imposed by the Board.

## **I. Decommissioning**

1. As part of the applicant's submission to the Board, the applicant shall submit a decommissioning plan, to be implemented upon abandonment or in conjunction with removal from property. The plan shall include:
  - a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the property.
  - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.
  - c. The anticipated life of the battery energy storage systems.
  - d. The estimated decommissioning costs and how said estimate was determined.
  - e. The method of ensuring that funds will be available for decommissioning and restoration.
  - f. The method by which the decommissioning cost will be kept current.
  - g. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed.



- h. A listing of any contingencies for removing an intact operational battery energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

## 2. Decommissioning Fund.

- a. The owner and/or operator of the energy storage system, shall continuously maintain a fund or bond payable to the Town, in an approved form for the removal of the battery energy storage system, in an amount to be determined by the SPGA for the period of the life of the facility.
- b. All costs of the financial security shall be borne by the applicant. The amount shall include a mechanism for calculating increased removal costs due to inflation.
- c. An inspection of the completed decommissioned area shall be reviewed by a consultant hired by the Planning Board before approving the decommissioning work in accordance with the Decommissioning Plan.
- d. The owner and/or operator shall pay for the cost of this review with such payment being provided by the owner and/or operator prior to the consultant undertaking said review, in accordance with MGL Chapter 44, Section 53G.

## J. Abandonment.

The battery energy storage system shall be considered abandoned when it ceases to operate consistently for more than twelve (12) months. The system shall be presumed abandoned if the owner and/or operator fails to respond affirmatively within thirty (30) days to a written inquiry from the Building Inspector as to the continued validity and operation of the system. If the owner or operator fails to comply with decommissioning upon any abandonment, the Town, may, at its discretion, and utilize the 88 for the removal of a system and restore the site in accordance with the decommissioning plan.

## K. Severability.

If any provision of this By-Law is found to be invalid by a court of competent jurisdiction, the remainder of this By-Law shall not be affected but remain in full force. The invalidity of any provision of this By-Law shall not affect the validity of the remainder of the Leicester Zoning By-Law;  
Or take any action thereon.

### PROPOSED MOTION

***The Planning Board recommends that the article be passed over.***

### ADVISORY COMMITTEE RECOMMENDATION

Favorable action (5-0-0)

### SELECT BOARD RECOMMENDATION

Favorable action (4-0-0)

**DESCRIPTION**

To provide for the construction and operation of Battery Energy Storage Systems and provide standards for the placement, design, construction, monitoring, modification, and removal of energy storage systems. The bylaw addresses public safety, protection of the town and private drinking water supplies while minimizing impacts on scenic, natural, and historic resources. The bylaw also seeks to also provide adequate financial assurance for the decommissioning of Battery energy Storage Systems.

**VOTE REQUIRED FOR PASSAGE** Requires a 2/3rds majority vote

**SELECT BOARD EXECUTIVE SESSION MEETING MINUTES  
APRIL 16, AT 6:00 PM  
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

**CALL TO ORDER/OPENING  
VETERANS POEM**

Mr. Antanavica opened the meeting at 6PM and read the veterans prayer.

**1. SCHEDULED ITEMS**

**a. 6:00 PM – Red Cross Emergency Shelter Agreement**

Mr. Genereux discussed the Red Cross using buildings in town during emergency events such as fires.

Mr. Main introduced Mr. Calvani and stated the MOAs are very descriptive in regards to emergency shelters and said they rely on experts who run shelters to assist the town to ensure people are fed and showered and properly cared for.

Mr. Bujak asked about the fire victims in Worcester and if this was something like that situation.

Mr. Main said that decision was made without emergency management input. He stated the MOA would prevent organizations from superseding the town.

Ms. Provencher asked about the old middle school on Winslow had room since she believed it was occupied.

Mr. Main replied it would be in the gym.

Mr. Bujak asked about the early childhood program and if they used the gym.

Mr. Main said he would utilize the high school gym first, followed by Winslow Ave and then the senior center. The Town Hall would come into play as a shelter space after the generator. He said he would send the documents to the board through Mr. Genereux for the board chair's signature.

**Ms. Provencher made a motion to approve the MOA for the Red Cross. Seconded by Mr. Bujak. Motion passes 4-0-0.**

Mr. Antanavica asked to apologize to the veterans for the porta potty that was set up in the valley by the legion. Mr. Genereux had received a call to have it moved immediately.

Addition: Discussion – Memorial School RFP

Mr. Genereux said he was working on the RFP with additional language and expected it to be out May 1<sup>st</sup> and turns ins expected June 15th and an award in July if responses are promising.

Mr. Bujak asked what had been done differently to generate new responses.

Mr. Genereux clarified the adaptive reuse bylaw would be in the updated RFP and to work with Zekos to increase the audience and he had received questions from various interested parties.

**b. 6:15 PM – One Day License Request/Request of Fee Waiver – Leicester Senior Senior Prom**

Mr. Genereux stated the school put forward an application for the prom on April 25<sup>th</sup> from 5:30 PM to 8:30 for wine and malt and that the 50 dollar fee be waved since it is a public event. Jeff Eller from a local restaurant would be the TIPS certified server.

**Mr. Bujak made a motion to approve. Seconded by Ms. Provencher. Motion passes 4-0-0.**

## **2. CIVIC ANNOUNCEMENTS**

- a. Town Meeting – May 7, 2024 (7:00 PM)
- b. Town Meeting Information Session -April 17, 2024 (5:00 PM)
- c. Earth Day cleanup – April 27, 2024
- d. Addition: Public Comment Period

Mr. Antanavica announced Town Meeting would be held May 7<sup>th</sup> and the informational session beforehand, and Earth Day cleanup on April 27.

No public comment.

## **3. RESIGNATIONS AND APPOINTMENTS**

- a. Vanessa Lopez – Open Space Committee
- b. Vivian Giles – Open Space Committee
- c. Sharon Nist – Open Space Committee
- d. Kurt Parliment – Open Space Committee
- e. Steve Dodge – Open Space Committee
- f. Matthew Fournier – Open Space Committee
- g. Dianna Provencher – Master Plan Committee
- h. Elizabeth Barrett – Master Plan Committee
- i. Kurt Parliment – Master Plan Committee
- j. Sharon Nist – Master Plan Committee
- k. Janice Park – Master Plan Committee
- l. Reappointment – Megan Canavan

**Ms. Provencher made a motion to approve all Open Space committee members. Seconded by Mr. Bujak. Motion passes 4-0-0.**

Mr. Bujak asked about the Open Space Committee.

Mr. Genereux clarified the committee is dedicated to the preservation of parcels.

Ms. Jan Parke said the Open Space plan is required by the state government and the Common Ground Land Trust made it a goal five years ago to establish goals and implement them. She would be serving in an advisory capacity.

**Mr. Bujak made a motion to approve the Master Plan members. Seconded by Mr. Menard. Motion passes 4-0-0.**

Mr. Genereux stated Ms. Canavan was an inspector of animals and it was a stipend position.

Mr. Bujak made a motion to approve. Seconded by Ms. Provencher. Motion passes 4-0-0

## **4. OTHER BUSINESS**

- a. Approval of Ambulance lease/purchase agreement

Mr. Genereux said they were at a point to do a lease for the ambulance and they had to factor in additional funds into the ambulance for a chassis to get outfitted but there was a major backlog on the vendors able to complete the work. They were getting \$4,500 for a trade in but that was going to become property of the school. He said there would be a down payment and it would be \$48,000 per year.

Mr. Antanavica said this vehicle would be another Dodge to try to stay consistent with the current fleet.

**Ms. Provencher made a motion to approve the lease/purchase agreement. Seconded by Mr. Menard. Motion passes 4-0-0.**

b. Leicester Public Health Coalition – IMA

Mr. Genereux stated the coalition had been meeting and the first grant ends June 30<sup>th</sup> of this year and DPH wants the IMA to be combined in one single agreement and to establish an advisory board and create new job description and to hire a director. He stated it was basically an inspections grant and town received part of the grant for the administrative costs associated with running the grant. He stated if they managed to get additional grant funding they could add additional services. All communities would have to sign the IMA.

Mr. Bujak asked about the difference now compared to before.

Mr. Genereux said previously there hadn't been a lot of communication and the new advisory group would be more participatory in the budget and in the operations to be more inclusive of all the member communities.

Mr. Bujak asked if the town had input on the budget since the risk falls on Leicester when it comes to facility costs and unemployment etc.

Mr. Genereux said DPH believes the percentage the town gets off the grant would cover those costs.

Mr. Bujak asked about the time Leicester employees dedicate to working on the grant.

Mr. Genereux said Leicester gets 15 percent of the grant coming out to roughly 78,000 dollars in addition to fringe benefits.

Mr. Bujak asked for an analysis to examine the true costs of being the host community.

The board discussed waiting two weeks to vote until the analysis was complete.

Mr. Bujak asked for employees time and benefits to be examined.

c. DPW property maintenance discussion

Addition: Discussion and vote: High School turf field repair and replacement of logo (FieldTurf of CT.)

Mr. Genereux stated this resulted from discussion at the last meeting. At the 06/20/23 meeting, Kris Lauzon DPW director, stated he would need equipment to mow the entire campus. The clip from the video was played for the audience.

Mr. Lauzon stated he did say additional staffing would help get the campus mowed. He said the hiring of two guys did allow him to get off the mower and focus on other things. He said equipment was still an issue and Joe Lavallee and the 2 guys spent their entire season mowing the campus. When heavy rain factors in, it made mowing a continuous job. He said he didn't know the answer but the 22 acres of fields, if twice a week mowing were to occur, its 44 acres each week and that didn't include the rest of the job functions including trimmings, mulching and regular building maintenance.

Mr. Lauzon said much of the equipment is nearing the end of life by the amount of work hours on each machine. He stated the highway workers were focused on catch basins and roads and if they were to be pulled from those functions there will be issues with roads and trees. He said he would love to be able to do it all but something would have to sacrifice with existing staff numbers and equipment.

Mr. Bujak said they've gone up two guys and it should be down in workload and the balance isn't there even though there is maintenance on vehicles. He asked what changed to make the workforce not adequate for the workload.

Mr. Lauzon said it was never adequate and he lost an employee at highway so one of the guys was moved to point A to point B and summer help was hired at full time staff so there would likely not be summer help. He said he was happy to mow if that's what the town wanted him to do but it takes him away from managing.

Mr. Bujak said if it was more cost effective to outsource maybe there should be a labor reduction.

Mr. Lauzon said he had three people on a mower for a year daily.

Mr. Bujak asked who was.

Mr. Lauzon said he and Mr. Lavallee, the facilities director, were on mowers throughout the whole season.

Mr. Bujak said going into the budget there was enough guys to maintain and when they decided to make the hires, he was under the impression the staffing would be adequate to conduct the mowing.

Mr. Genereux stated there had been vendors doing the mowing since the campus was acquired three years prior. This year it was a new vendor who had bid. He stated they previously were not doing the schools, so they increased the space to be mowed.

Mr. Bujak stressed there were more bodies and less work.

Mr. Lauzon said he wasn't here for the history of what was done in the past which he was like with the facilities director and one other guy to maintain the grounds.

Mr. Menard said there wasn't enough equipment even if staffing was on par.

Mr. Lauzon said the properties are expansive and the grounds correlate to more work to be done.

Mr. Bujak said he suspected the housing was a time suck of DPW staff.

Mr. Lauzon stated he spends more time at the schools than the housing project. He asked about how much maintenance done previously on the grounds and buildings. He said he has no issue with the work but he can't guarantee how often it would get done.

Mr. Antanavica stated when people complained at town meeting the biggest gripe was a lack of maintenance on the buildings. He said the town historically did nothing for maintenance both the structures and grounds. He said he was more in favor of outsourcing to not worry about unemployment costs and benefits.

Mr. Bujak asked about maintenance binders and if anything had been looked at.

Mr. Lauzon said yes but things such as motors being replaced and preventative maintenance are regularly done. He stressed the 22 acres is something they could not feasibly get to it all.

Ms. Provencher reminded people about the paperwork and administrative burden of his workload in addition to the physical demands of his job.

Mr. Lauzon mentioned a work order system he was working on implementing.

Mr. Menard asked if he kept a log of replacement equipment and how much time he spends daily on constant meetings and correspondence. He said there is a lot of day to day issues that come up.

Mr. Bujak said it wasn't a shot at him and he made a statement previously and its an area of town that has been historically underfunded and the shelter housing was now a part of the town.

Mr. Lauzon said he had been overly optimistic.

Mr. Cusolito asked if Mr. Lauzon had asked for more people in his budget.

Mr. Antanavica asked about school maintenance and said that was a school decision and had nothing to do with the board.

Mr. Cusolito said he was the only DPW director he had seen move furniture and they weren't looking at long range plans and if they're not tracking that info they won't ever receive certification and they weren't accounting for the time spent at the dorms.

Mr. Doug Belanger thanked the board about the porta potty and asking for it to be moved. He said his fear about DPW would be the over-burdening of employees of the department. He asked for mowing to be done May 4<sup>th</sup>.

Mr. Paul Fontaine thanked Mr. Lauzon as the parks are looking better than they ever had and everything had fallen on his department and asked for their support as they got caught up on things that had been lacking for 10 years.

Ms. Parke also praised Mr. Lauzon for his patience and his assistance with the recycling center.

Discussion ended regarding mowing maintenance.

Mr. Antanavica discussed the Turf field and some of the issues from the past.

Mr. Lauzon stated it was a 15-to-18-year Turf field and it was replaced just before Covid. He said they had time on the warranty and they could replace the logo on the field and the warranty would still be in place as long as the same company performed the work. He said he was waiting on a quote from the vendor. He said the cost of continuously re-painting the field would be exceedingly high.

Mr. Bujak said previous work had never been overly vibrant.

Mr. Menard asked if it was a \$50,000 cost, would it be worth it to talk to school to make sure they wouldn't have to budget to have it done again.

Mr. Antanavica said there was still \$10,000 left over to paint the field. He said the company would come back twice a year to fluff the field and sanitize it for roughly \$5,000.

Mr. Bujak said it was a no brainer to pay the \$5,000 to maintain the field to keep it under the existing warranty. He asked about the sinkhole on the sideline.

Mr. Lauzon said he warranties the area and it is also a part of the warranty.

**Mr. Bujak made a motion to replace the logo via the existing vendor for up to \$60,000. Seconded by Ms. Provencher. Motion passes 4-0-0.**

d. Contract Award – High School Campus, Common and Memorial Square Mowing

**Mr. Bujak made a motion to approve. Seconded by Ms. Provencher. Motion passes 4-0-0.**

e. Town Meeting – Vote warrant articles; sign warrant sheet

Mr. Genereux said he had a change on Article 2 and the town clerk felt the original number should be increased and the 950 line had a buffer but there was a painting project for town hall in which money would be better suited in that budget.

Mr. Menard made a motion to amend proposed motions 2A, Town Clerk and Shared Maintenance. Seconded by Ms. Provencher. Motion passes 4-0-0.

**Mr. Menard made a motion to not support Article 24. Seconded by Mr. Antanavica. Motion passes 3-0-1, Mr. Bujak opposed.**

**Ms. Bujak made a motion to sign the warrant sheet. Seconded by Mr. Menard. Motion passes 4-0-0.**

Mr. Bujak asked about the budget submitted by the Advisory Board Chair and which budget would be presented at town meeting.

Mr. Genereux stated these were uncharted waters and the town administrator is tasked with submitting the budget on behalf of the board so it was interesting to have two budgets he recommended submitting the question to town counsel.

Ms. Provencher asked about counsel and said there is a bylaw in place that says the advisory board advises the select board on the financial matters of the town. She did not know they could submit a budget and the town administrator had always done the budget.

Mr. Genereux was making the recommendation to refer to counsel as a detached third party to follow MGL and local bylaws.

Mr. Menard said there isn't time to even go through it with three weeks to spare before town meeting. He stated there was previous pushback on a budget done 60 days before town meeting let alone 21 days.

Mr. Cusolito said the Select Board isn't mentioned in the bylaw and read MGL.

Ms. Provencher said he was aware since he was present for the vote.

Mr. Cusolito pointed out flaws in the budget including typos.

Mr. Antanavica thanked him for his comments.

Mr. Belanger spoke of the warrant and the motions which provide room for changes. He asked if it had been posted to get the word out about the warrant. He said there was 23 days before town meeting and it made him nervous they were waiting two weeks to sign the warrant as a warning to residents.

Mr. Bujak asked if he would advise signing the warrant.

**Mr. Bujak made a motion to sign the warrant sheet and to revisit any issues before town meeting. Seconded by Ms. Provencher. Motion passes 4-0-0.**



Mr. Bujak talked about the budget and said they should all be able to come together on the budget with Advisory and the School Committee and when groups feel isolated. He said operating in a vacuum because of animosity doesn't benefit the town.

- f. Approval of Civic Plus Master Services agreement -Website & Permitting software

**Ms. Provencher made a motion to approve the \$54,425 for online permitting software. Seconded by Mr. Menard. Motion passes 4-0-0.**

**Ms. Menard made a motion to approve the \$42,802.50 website. Seconded by Ms. Provencher. Motion passes 4-0-0.**

- g. Approve Civic Plus SOW

**Mr. Bujak made a motion to sign the SOW. Seconded by Ms. Provencher Motion passes 4-0-0.**

- h. Mutual Aid – Narcotics Agreement

Mr. Matt Brady stated the PD works with departments all over the state for crimes and drug cases. He asked for authorization to enter into a mutual aid agreement with Spencer to establish a task force and formalize a mutual aid agreement to include more towns in the future.

Mr. Bujak asked how this agreement differs from existing agreements.

Mr. Brady stated this agreement was tailored for asset forfeiture, handling of evidence, payment of employees to pull it into one location and that it had been vetted by the DA's office.

**Mr. Bujak made a motion to approve the mutual aid agreement. Seconded by Mr. Menard. Motion passes 4-0-0.**

## **5. MEETING MINUTES**

- a. March 11, 2024
- b. April 1, 2024
- c. April 8, 2024

## **6. APPROVE & RELEASE EXECUTIVE SESSION MEETING MINUTES**

- a. August 21, 2023 – Exec Session
- b. September 18, 2023 – Exec Session
- c. October 5, 2023 – Exec Session

**Mr. Menard made a motion to approve. Seconded by Ms. Provencher. Motion passes 4-0-0.**

- d. November 6, 2023 – Exec Session
- e. August 7, 2023 – Exec Session
- f. November 20, 2023 – Exec Session
- g. November 27, 2023 – Exec Session
- h. December 11, 2023 – Exec Session
- i. December 18, 2023 – Exec Session
- j. January 11, 2024 – Exec Session
- k. February 5, 2024 – Exec Session
- l. February 20, 2024 – Exec Session

**Mr. Menard made a motion to approve the executive session minutes once counsel reviews. Seconded by Ms. Provencher. Motion passes 4-0-0.**

**Mr. Menard made a motion to adjourn. Seconded by Mr. Bujak. Motion passes 4-0-0.**

**ADJOURN**