

**SELECT BOARD MEETING MINUTES
JULY 12, 2021 AT 7:00PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chairman Antanavica called the meeting to order at 7:03pm. Chair Rick Antanavica, Vice-Chair John Shocik, Second Vice-Chair Herb Duggan Jr., Selectman Dianna Provencher, Selectman Allen Phillips, Town Administrator David Genereux, Assistant Town Administrator Kristen Forsberg and Town Counsel Chris Petrini were in attendance.

1. SCHEDULED ITEMS

a. 7:00pm – Discussion/Vote - Keno License – Northeast Pizza – 1205 Main Street

A motion was made by Mr. Shocik and seconded by Mr. Phillips to approve the Keno License request from Northeast Pizza. Roll call: 5:0:0.

b. 7:00pm – Opioid Litigation: Vote to approve, reject or cast no vote on proposed settlement Plan to resolve claim(s) against Purdue Pharma L.P. and associated Debtors (“Debtors”) in the Chapter 11 Bankruptcy Case No. 19-23649-rdd filed with the Southern District of New York Bankruptcy Court on September 19, 2019 resulting from multi-district opioid litigation in which Town of Leicester is a Class 4 plaintiff

Town Counsel Chris Petrini discussed the multijurisdictional national opioid class action lawsuit to which the Town of Leicester has signed on to. The Town may be able to recover a portion of the settlement if one is reached. One of the major companies, Purdue Pharma, has filed for bankruptcy. Mr. Petrini recommended the Town vote to support the bankruptcy plan.

A motion was made by Ms. Provencher and seconded by Mr. Shocik to vote in support of the Purdue Pharma bankruptcy plan and to authorize Town Counsel to send a notice of this vote to Purdue Pharma’s special counsel. Roll call: 5:0:0.

c. 7:15pm – Discussion/Vote - Fire & EMS HQ Stormwater Improvements Contract Award (N. Cibotti/VHB)

Mr. Genereux discussed the bid process for the stormwater improvements at the Fire & EMS HQ. Only one bid was received from N. Cibotti in the amount of \$867,870.10 which is \$183,870 over the original project estimate of \$684,000. The price of raw materials and labor is extremely high right now due to COVID. The Board can move forward with this bid or put the project back out to bid in the winter, which would significantly delay the project.

A motion was made by Mr. Phillips and seconded by Ms. Provencher to award the contract for the Fire & EMS HQ stormwater improvements in the amount of \$867,870.10 to N. Cibotti using \$460,000 from the fire station settlement and the balance from the \$3.3M in federal ARPA funding, reserving the balance in Chapter 90 funds in case the project does not qualify for ARPA funding. Roll call: 5:0:0.

A motion was made by Mr. Phillips and seconded by Mr. Shocik to sign VHB amendment #9 in the amount of \$32,500 for project construction oversight services. Roll call: 5:0:0.

d. 7:30pm – Discussion/Vote - Road Opening Permit Revisions

Mr. Griffin discussed recommended updates to the road opening permit including increasing insurance coverage to \$1M property/\$3M liability, increasing the depth of type I bituminous required for repairs, requiring

mechanically induced compaction, holding the contractor responsible for making sure their patch holds for 4 years, and allowing the road conversion committee to review projects in high risk areas.

A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the revisions to the road opening permit as presented. Roll call: 5:0:0.

2. PUBLIC COMMENT PERIOD

EMS Coordinator Mike Franklin tendered his resignation from the position effective immediately.

3. REPORTS & ANNOUNCEMENTS

a. Student Liaison Reports

This item was passed over.

b. Town Administrator Report

This item was passed over.

c. Select Board Reports

The Select Board discussed various topics including the concerts on the common, senior center opening, garden club donation to the senior center, EPA's involvement in potential cleanup of Chapel Mill and thanks to Inspector Mike Wilson, letters of support received for the Moose Hill/Shaw Pond project that does not currently exist, commendations from EPA for the Town's assistance in obtaining asbestos samples from Chapel Hill, voicemail received by Chief Antanavica thanking members of the department for their service, need to cut weeds and push a trash can out at Waite Pond Dam, the Complete Streets Grant making the common more accessible, FEMA funding to pay for funerals for those lost to COVID, and starting up the CERT team again.

4. RESIGNATIONS & APPOINTMENTS

a. Appointment – Select Board Student Liaison – Joely Fontaine

A motion was made by Ms. Provencher and seconded by Mr. Shocik to appoint Joely Fontaine as a Select Board Student Liaison. Roll call: 5:0:0.

b. FY22 Reappointments

A motion was made by Mr. Phillips and seconded by Ms. Provencher to reappoint Justina Lachapelle to the Bylaw Committee for another three-year term. Roll call: 5:0:0.

A motion was made by Mr. Shocik and seconded by Ms. Provencher not to reappoint Robert Wilson to the position of EMS Director. Roll call 4:0:1 (Mr. Phillips abstained).

A motion was made by Ms. Provencher and seconded by Mr. Shocik to appoint James Buckley to the Recycling Committee for another one-year term. Roll call: 5:0:0.

A motion was made by Ms. Provencher and seconded by Mr. Shocik to appoint James Buckley to the Zoning Board of Appeals for another five-year term. Roll call: 5:0:0.

5. OTHER BUSINESS

a. Accept Senior Center Donations

A motion was made by Ms. Provencher and seconded by Mr. Shocik to accept the senior center donations as listed in the packet. Roll call: 5:0:0.

b. Discussion/Vote - Comprehensive Emergency Management Plan (CEMP)

A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the Comprehensive Emergency Management Plan (CEMP). Roll call: 5:0:0.

c. Discussion/Vote - Reserve Fund Transfer Request – EMS Payroll - \$15,000

A motion was made by Ms. Provencher and seconded by Mr. Shocik to recommend approval of a reserve fund transfer in the amount of \$15,000 to backfill the EMS payroll deficit. Roll call: 5:0:0.

d. Adopt Cable Advisory Committee Charge

A motion was made by Ms. Provencher and seconded by Mr. Shocik to adopt the Cable Advisory Committee Charge as presented. Roll call: 5:0:0.

e. Town Administrator Performance Review

This item was moved to the July 19th agenda to give the Board time to review the self evaluation and provide comments.

f. Becker College Acquisition Discussion

Mr. Antanavica discussed the potential Becker College acquisition as outlined below:

- The Town has negotiated a purchase price of \$17,830,000 for all Becker holdings in the Town (roughly 23 parcels).
- This includes some buildings that may be suitable to be used as classrooms, a two-year-old synthetic turf field, historic buildings including the May House which was part of the underground railroad, a veterinary clinic which could be repurposed through a vocational program, etc.
- The purchase would require a debt exclusion in the amount of \$19,900,000 and a Prop 2 ½ override of between \$1.7M and \$2M to create a DPW with a highway and a facilities division. This would provide the necessary funds to hire an electrician, plumber, etc. for the maintenance of all Town owned buildings. Maintenance of all school buildings would also fall under the Town's DPW. Schools would remain in charge of administration and cleaning of buildings.
- The closure of Becker College will affect the entire landscape of the center of Town. The acquisition of the campus is supported by the Select Board, School Committee and Advisory Committee.
- Becker has received offers to split off portions of the campus and the Town would then have no control over what goes in there.
- The Town is struggling to maintain its existing buildings. Adding Becker brings additional costs such as paying for the upkeep, heating, ac, repairs, security etc. An override is needed to make the project work. It would be a poor investment to buy the properties without a means to maintain them.
- The Town plans to hold some gatherings this summer that include tours of building and potentially touch a truck day combined.
- Some Town debt drops off the books in 2024.
- Becker is currently short on classrooms to meet the needs of Leicester high. The Town would likely need to apply for a small scale MSBA rehab project to meet these needs.
- The Town will not have all answers for reuse options for all buildings in the next two months and we are limited in what we can research due to the involvement of the Attorney General's office, but there are many options.
- Tom lauder stated the School Committee needs to walk the property with the principals but Borger Academic Building, Knight Hall and the Student Center should meet their needs if walls can be taken down and spaces can be reconfigured.

- Small working groups will be put together to research costs and opportunities this summer during the Town's due diligence period.
- The Board did not have an issue with a former security person continuing to live on campus.

6. MINUTES

a. **June 21, 2021**

b. **June 22, 2021**

A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the minutes of June 21, 2021 and June 22, 2021. Roll call: 5:0:0.

A motion to adjourn was made by Mr. Phillips and seconded by Ms. Provencher at 9:08pm. Roll call: 5:0:0.