

**SELECT BOARD MEETING MINUTES  
DECEMBER 6, 2021 at 5:30PM  
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

**CALL TO ORDER/OPENING**

Chair Antanavica called the meeting to order at 5:30pm. Chair Rick Antanavica, Vice-Chair John Shocik, Second Vice-Chair Herb Duggan Jr., Selectman Dianna Provencher, Selectman Allen Phillips, Town Administrator David Genereux and Assistant Town Administrator Kristen Forsberg were in attendance.

**1. SCHEDULED ITEMS**

- a. **5:30pm – Executive Session, MGL Chapter 30A, Section 21(a), Exception 2 – Conduct strategy sessions in preparation for negotiations with nonunion personnel (Principal Assessor)**

**Motion 120621-1a1:** A motion was made by Mr. Shocik and seconded by Ms. Provencher to enter into executive session at 5:32pm under MGL Chapter 30A, Section 21(a), Exception 2, to conduct strategy sessions in preparation for negotiations with nonunion personnel (Principal Assessor). The Chair declared that to discuss these matters in open session would compromise the position of the Town. **Roll call: 5:0:0.**

**Motion 120621-1a2:** A motion was made by Mr. Shocik and seconded by Ms. Provencher to go out of executive session at 6:00pm and to resume in open session. **Roll call: 5:0:0.**

- b. **6:00pm – FY22 Tax Classification Public Hearing**

**Motion 120621-1b1:** A motion was made by Mr. Shocik and seconded by Mr. Phillips to open the FY22 tax classification public hearing at 6:03pm. Motion carries 5:0:0.

Ms. Forsberg read the public notice as published in the Telegram and Gazette, noting that no written comments were received. Principal Assessor Sandy Genna stated that the Town has gone through the revaluation process and the values were certified by the State on November 5<sup>th</sup>. The average single family home value has gone up by 12.3% in FY22 from \$262,515 to \$294,992. If accepted by the Board, the proposed single tax rate of \$13.99 per thousand will increase the average tax bill by \$155.06, from \$3,971.85 to \$4,126.91. Leicester has historically accepted a single tax rate as 84% of all properties in Town are residential.

**Motion 120621-1b2:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to adopt the proposed single tax rate of \$13.99 per thousand on appraised property for FY22. **Motion carries 5:0:0.**

- c. **6:15pm – Prestige Auto Vehicle License Violation Hearing (continued from 11/15/21)**

Fire Chief Michael Dupuis showed a PowerPoint with photos of the site and detailed issues including cars blocking egresses, cars stacked 2-3 rows deep in certain areas, drums that need to be removed, debris/spare parts not allowed under a Class II license, and more than the 35 disabled repair cars allowed by the license. The license allows for 150 cars for sale and 35 cars for repair. The owners agreed to adjust the parking plan as requested by the Fire Chief. Chief Dupuis recommended the Board review the number of cars allowed on site as he feels it's a bit excessive. The Board expressed concerns about the number of disabled cars on site, hazards for public safety officials in case of a fire, an area that looks like a salvage yard with items buried in the dirt and the appearance of the site. The owners agreed to put all parts in storage containers.

**Motion 120621-1c:** A motion was made by Mr. Shocik and seconded by Mr. Phillips to temporarily limit the number of saleable cars on the lot at Prestige Auto to 100 and the amount of repair vehicles on the lot to 35 for a maximum of 135 cars on the lot, to require Prestige Auto to move cars that are stacked layers deep and to

work with the Fire Chief to place them around the lot, and to clean up spare parts on the property and place them in storage containers by December 20<sup>th</sup>. **Motion carries 5:0:0.**

d. **6:30pm – Eagles Club Change of Manager**

**Motion 120621-1d:** A motion was made by Mr. Phillips and seconded by Ms. Provencher to approve the change of manager for the Eagles Club to John Ritchie. **Motion carries 5:0:0.**

**2. PUBLIC COMMENT PERIOD**

Doug Belanger, Town representative to the WRTA, commended the WRTA for their quick response to the Housing Authority fire and requested those involved be recognized by the Select Board.

**3. REPORTS & ANNOUNCEMENTS**

a. **Student Liaison Reports**

The Student Liaisons provided updates from the Leicester Public Schools.

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

The Town Administrator presented highlights from his written report.

c. **Select Board Reports**

The Board discussed a variety of topics including sending condolences to Gary Sundgren's family, veterans housing at Becker or Memorial, national grid increases for residents who are not part of the Leicester Community Electricity Aggregation plan, the initial Becker working group meeting which was very well attended, COVID vaccinations, the tree lighting ceremony, the billboard on Route 9 west by St. Joe's which needs to be fixed, and the Santa run on Dec 18<sup>th</sup> around Town (firefighters donate their time and the union pays for the fuel).

**4. RESIGNATIONS & APPOINTMENTS**

a. **Retirement – Police Officer – John Caforio, Jr.**

**Motion 120621-4a:** A motion was made by Mr. Shocik and seconded by Ms. Provencher to accept the retirement letter from Police Officer John Caforio, Jr. and to send a letter of thanks for his service. **Motion carries 5:0:0.**

b. **Resignation – Treasurer/Collector – Melanie Jackson**

**Motion 120621-4b:** A motion was made by Mr. Duggan and seconded by Mr. Shocik to accept the resignation of Treasurer/Collector Melanie Jackson. **Motion carries 5:0:0**

c. **Resignation – Commission on Disabilities – Deborah Nash**

**Motion 120621-4c:** A motion was made by Mr. Phillips and seconded by Mr. Shocik to accept the resignation of Deborah Nash from the Commission on Disabilities. **Motion carries 5:0:0.**

d. **Resignation – Firefighter – Jeffrey Clark Jr.**

**Motion 120621-4d:** A motion was made by Mr. Shocik and seconded by Ms. Provencher to accept the resignation of Firefighter Jeffrey Clark Jr. **Motion carries 5:0:0.**

e. **Resignation – Firefighter – Joseph Avellino**

**Motion 120621-4e:** A motion was made by Mr. Shocik and seconded Mr. Phillips to accept the resignation of Firefighter Joseph Avellino. **Motion carries 5:0:0.**

**f. Resignation – Recruit Firefighters – Logan Laflamme & Christopher O'Brien**

**Motion 120621-4f:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to accept the resignations of recruit firefighters Logan Laflamme and Christopher O'Brien. **Motion carries 5:0:0.**

**g. Appointment & Vote on Contract – Principal Assessor – Linda Berisha**

Mr. Genereux noted that the Principal Assessor is retiring effective December 30, 2021. The position was advertised and two applications along with a letter of interest from an assessing firm were received. Mr. Genereux stated that due to the small size of the office, he believes it makes sense to continue on with a full-time in-house Assessor.

**Motion 120621-4g:** A motion was made by Mr. Duggan and seconded by Mr. Phillips to appoint Linda Berisha to the position of Principal Assessor and to sign her department head contract. **Motion carries 5:0:0.**

**h. Appointment – Cable Advisory Committee – John Eldridge**

**Motion 120621-4h:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to appoint John Eldridge to the Cable Advisory Committee at an at-large member. **Motion carries 5:0:0.**

**i. Appointment – Conservation Commission – Ryan Winslow**

**Motion 120621-4i:** A motion was made by Ms. Provencher and seconded by Mr. Duggan to appoint Ryan Winslow to the Conservation Commission. **Motion carries 5:0:0.**

**j. Appointment – Parks and Rec Alternate – Joe Richardson**

**Motion 120621-4j:** A motion was made by Ms. Provencher and seconded by Mr. Shocik to appoint Joe Richardson as an alternate to the Parks and Recreation Committee. **Motion carries 5:0:0.**

**5. OTHER BUSINESS**

**a. PD Donation**

**Motion 120621-5a:** A motion was made by Mr. Phillips and seconded by Ms. Provencher to accept a \$20 donation to the Police Department from Alice Kenney. **Motion carries 5:0:0.**

**b. Vote to execute Participation Agreement on Settlement Agreements dated July 21, 2021 to resolve claim(s) against McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J") resulting from multi-district opioid litigation in which Town of Leicester is a plaintiff**

**Motion 120621-5b:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to authorize the Town Counsel, or the Town Administrator or Assistant Town Administrator to execute the Participation Agreement for the settlement of MDL with McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J") as more fully outlined in the November 23, 2021, letter from the plaintiffs' Executive Committee and Opioid Litigation Special Counsel, and to take other action necessary to effectuate this vote. **Motion carries 5:0:0.**

**c. Vote to Sign Becker Purchase and Sale Agreement**

**Motion 120621-5c1:** A motion was made by Mr. Phillips and seconded by Ms. Provencher to authorize the Chair to sign the purchase and sale agreement with Becker College once corrected to include reimbursement for 21E costs and all other figures attached, pending signature from Becker. **Motion carries 5:0:0.**

**Motion 120621-5c2:** A motion was made by Mr. Phillips and seconded by Mr. Duggan to purchase insurance on the title work for the property at a cost of \$26,000 which protects the Town in perpetuity from defects in the title. **Motion carries 5:0:0.**

d. **2022 License Renewals**

1. **Alcohol & General Licenses:** Barber's Crossing, Inc. 861 Main St: Restaurant-All Alcohol; Common Victualler (CV) & General Entertainment (GE)
2. **Brookside Liquors** 875 Pleasant St: Package Goods-All Alcohol
3. **CV American Legion Post 443, Inc.** 167 Main Street: Club/Veterans Club-All Alc.; CV, GE, Sunday Entertainment & Games-2
4. **Crossroads Marketplace** 1060 Main St: Package Goods-Wines & Malt; & CV
5. **Fraternal Order of Eagles Leicester** 850 Main St: Club/Veterans Club-All Alcohol; & CV
6. **Eller's Restaurant** 190 Main St, CV: Restaurant-All Alcohol; CV & GE
7. **Hillcrest Country Club** 325 Pleasant St: Restaurant-All Alcohol; CV, GE & Game-1
8. **Jan's Package Store** 385 Main St: Package Goods-All Alcohol
9. **Leicester Country Club** 1430 Main St: Restaurant-All Alcohol; CV, GE & Sunday Entertainment
10. **Leicester Package Store** 869 Main St: Package Goods-All Alcohol
11. **Leicester Rod & Gun Club, Inc.** 1015 Whittemore St-Club/Veteran's Club- All Alcohol; CV & GE
12. **Leicester Social Club/KoC** 91 Mannville St: Club/Veteran's Club-All Alcohol; CV & GE
13. **Leroux Liquors** 1044 Main St: Package Goods- All Alcohol
14. **Mill Town Wine Company, LLC** 1141 Stafford St: Package Goods- Wines & Malt
15. **Northeast Pizza 1205 Main St: Restaurant-All Alcohol & CV**

**Motion 120621-5d1:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to approve license renewals for businesses 1-15 as listed above. **Motion carries 5:0:0.**

16. **General Licenses:** Bill's Pizza & Restaurant 1141 Stafford St: CV
17. **Buddy's Spa** 1080 Stafford St: CV
18. **Dunkin Donuts** 1081 Main St: CV
19. **Gigueres** 148 Main St: CV
20. **Leicester Drive-In Theatre, Inc.** 1675 Main St: CV, GE & Theatre
21. **Tatnuck Driving Range** 55 Marshall St: Outdoor Business
22. **Wal-Mart #3409 1620 Main St: GE & Games-10**

**Motion 120621-5d2:** A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve license renewals for businesses 16-22 as listed above. **Motion carries 5:0:0.**

23. **Vehicles:** A/C Used Cars & Trucks 17 Craig St: Class II
24. **Buckley Auto Body** 22 Mill St: Auto Body Repair (ABR), Class II & Motor Vehicle Repair (MVR)
25. **Classic Automotive Inc.** 1323 Main Street: ABR, Class II, MVR & Rental Car
26. **Convenient Auto Repair & Sales, LLC.** 1135 Stafford St: Class II & MVR
27. **Entwistle's Garage, Inc.** 800 Main St: ABR, Class II & MVR
28. **Joe's Auto Repair** 81 Huntoon Mem. Hwy: ABR
29. **Mac's Auto Repair** 490 Main St: MVR

**Motion 120621-5d3:** A motion was made by Mr. Phillips and seconded by Ms. Provencher to approve license renewals for businesses 23-29 as listed above. **Motion carries 5:0:0.**

30. **Prestige Auto Service** 200 South Main St: ABR, Class II & MVR

This license renewal was held until the next meeting

**31. Route 9 Auto Group, LLC 1323 Main St: Class II**

**32. Ernie's Cars 515-517 Main St: Class II**

**33. Warren's Auto Wrecking 20 Pryor Rd: Class III**

**Motion 120621-5d4:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to approve license renewals 31-33 as listed above. **Motion carries 5:0:0.**

**34. Alcohol: Eastern Pearl LLC 1060 Main St: Restaurant- All Alcohol**

**Motion 120621-5d5:** A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the liquor license renewal for Eastern Pearl as listed above. **Motion carries 5:0:0.**

**e. Execute ABCC 2022 Liquor License Renewal Certificate Form**

**Motion 120621-5e:** A motion was made by Ms. Provencher and seconded by Mr. Phillips to execute the ABCC 2022 liquor license renewal certificate form as presented. **Motion carries 5:0:0.**

**f. Request to Rent Fuller Campus Center Rooms – Events Central LLC**

**Motion 120621-5f:** A motion was made by Mr. Phillips and seconded by Mr. Duggan to table this request until the Becker groups complete their work over this winter. **Motion carries 5:0:0.**

**g. Disclosure – Police Chief pursuant to MGL C.268A Section 19 regarding collective bargaining**

Mr. Genereux stated that the union sent a grievance to the police chief due to a recently discovered clause in the supervisor's contract that awards them a day off for not using a sick day every 131 days. As the Chief was previously a sergeant, he could be entitled to a cash payout of back pay owed. The Chief contacted State Ethics who advised him to file a disclosure regarding the potential \$7,138.56 payout and request he be excluded from the grievance process due to a possible financial conflict.

**Motion 120621-5g:** A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the disclosure submitted by Police Chief Ken Antanavica allowing him to be disqualified from arbitrating the grievance as he has a financial interest in the matter. **Motion carries 4:0:1 (Mr. Phillips abstained)**

## **6. MINUTES**

**a. November 15, 2021**

**b. November 16, 2021**

**c. November 23, 2021**

**d. November 30, 2021**

**Motion 120621-6:** A motion was made by Ms. Provencher and seconded by Mr. Shocik to approve the minutes of November 15, 16, 23, and 30, 2021. **Motion carries 5:0:0.**

**Motion 120621-7:** A motion to adjourn was made by Ms. Provencher and seconded by Mr. Phillips at 7:36pm. **Motion carries 5:0:0.**