

**SELECT BOARD MEETING MINUTES**  
**JUNE 11, 2018 at 6:30pm**  
**TOWN HALL, SELECT BOARD CONFERENCE ROOM**

**CALL TO ORDER/OPENING**

Chairman Brooks called the meeting to order at 6:31pm. Chairman Harry Brooks, Vice-Chair Dianna Provencher, 2<sup>nd</sup> Vice-Chair Sandra Wilson, Selectman Douglas Belanger, Selectman Brian Green, Town Administrator David Genereux, Assistant to the Town Administrator Kristen Forsberg and Student Liaisons Alyssa Pupillo and Robert Kemp were in attendance.

**PUBLIC COMMENT PERIOD**

Jeffrey Fisher spoke against reducing the speed on Route 56 between Huntoon Memorial Highway and the Center of Town and made the following recommendations: eliminate one crosswalk by Hillcrest Country Club, cut the shrubs on the west side of the street as they are an obstruction and put up nets instead, put an cruiser down at Hillcrest/Pleasant Street Diner, put the radar trailer near Hillcrest, put the Town road sign by Hillcrest to remind people to drive slowly, give out tickets and review the Town's liability for accidents at Hillcrest (which could be reduced by removing one crosswalk and trimming the bushes per Mr. Fisher).

**1. SCHEDULED**

**a. 6:30pm – Public Hearing - Liquor License Alteration of Premises Application – Barbers Crossing**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to open the public hearing. Roll Call: All Ayes. Trish Wallace with Barbers Crossing presented a request to modify their liquor license to include the addition to their building and outdoor patio. Mr. Belanger stated there have been no liquor license violations at Barbers Crossing. Mr. Belanger noted recommendations made by the Police Chief and asked that the owners meet with Chief Hurley. A motion was made by Mr. Belanger and seconded by Ms. Provencher to approve the request for a liquor license alteration of premises for Barbers Crossings' liquor license. Roll call: All Ayes. The motion carried unanimously. A motion was made by Mr. Belanger and seconded by Mr. Brooks to close the public hearing. Roll Call: All Ayes.

**b. 6:40pm – Cycle Massachusetts/Becker College – General Entertainment/Liquor License Application**

Becker College presented a request from Cycle Massachusetts for a general entertainment license and a liquor license for August 6<sup>th</sup> and 7<sup>th</sup>. Cycle Massachusetts travels across the country and will be staying at Becker College. A folk band has been retained to play and Becker would provide the food and host a cash bar. Ms. Wilson asked if there were any riders under the age of 21. Bob Wilder noted there are no registered riders under 21 and that TIPS certified bartenders will check IDs. A motion was made by Ms. Wilson and seconded by Ms. Provencher to approve two (2) one day liquor licenses for Becker College on August 6<sup>th</sup> and August 7<sup>th</sup> and a general entertainment license for Cycle Massachusetts. The motion carried unanimously.

**c. 6:50pm – Library Renovation & Expansion Project – Rob Para, OPM**

Rob Para provided an update on the library renovation and expansion project. Mr. Para noted the water line connection is still within the proposed \$20,000 but if that changes he will come back before the Board. A police detail will be required during the water and sewer line installation. The sewer line extension is estimated to take three days. Tom Buckley, Chair of the Library Building Committee, noted the Committee still intact and has done a great job. The project is 54% complete as of last Wednesday.

**d. 7:00pm - Proposed Marijuana Cultivation Facility – Chilly Farms**

Barry Coleman and Benjamin England discussed their proposed cultivation facility at 424 Main Street Cherry Valley. Chilly Farms has set up a team with experience in this field including attorney Valerio Romano, master cultivators, cannabis consultants, a security expert from the DEA and the owner of a medical marijuana facility in Medway. Chilly Farms intends to apply for a Tier 1 cultivation license which is for up to 15,000 square feet and are interested in potentially opening a retail location in the future. Leicester is attractive as it has vacant manufacturing facilities and they plan to enter into a long term lease for the facility on Main Street which does meet zoning requirements. The timeline for opening includes the 90 day State approval process, 6 months to retrofit the building and 90 days to grow the first plants. The business estimates investing \$500,000 into the building including 15 parking spaces, security systems and a fence. Phase I would include 2 grow rooms and Phase II would increase to 5 grow rooms and a kitchen. Chilly Farms will host a Community Outreach Meeting on June 26<sup>th</sup> at 6pm at Town Hall. The proposed business would create 6-10 full time jobs and Chilly Farms stated they would love to hire locally and want to be a part of the community. A professional security and alarm company will be hired to design a security plan which includes a perimeter alarm on all entry and exit points connected to local PD, backup alarm systems on backup generators, interior and exterior video surveillance, exterior lighting and removal of bushes. Chilly Farms will keep records of who is allowed to come into the facility and security personnel will be on site during operational hours. Waste will be disposed of off site and products will be kept out of the public's view. They are exploring the option to use a reverse osmosis filtering system and reuse the water but will consult with the local water and sewer districts. All Board members were conceptually in favor of the business coming to Town.

**2. CORRESPONDENCE**

**a. Student Liaison Reports**

The students provided updates from the Leicester Public Schools including preschool graduation, summer reading at the Memorial School, 5<sup>th</sup> grade recognition ceremony and step up day, Star Wars Academy of the Force available on YouTube, Middle School Field Day, rising seniors cleaning the senior patio and the last day of school is June 22<sup>nd</sup>.

**b. Proclamation – Robert Kemp, Student Liaison**

Chairman Brooks read a proclamation for Robert Kemp's service as a student liaison for the past two years.

**c. Certificate of Thanks – LCAC**

Chairman Brooks read a certificate of thanks for LCAC for the renovation of the Select Board Conference Room.

**3. OLD BUSINESS**

**a. DEP Glass Grant**

Mr. Genereux discussed the proposed DEP Glass Grant. Dennis Griffin, Ruth Kaminski and David Genereux met with Irene Congdon at DEP and the main operator involved in the glass operation who noted grinding would only occur twice a year and the Town would only receive \$1500 per year. The main operator noted there is no point to having a facility in Town if the Town does not have a use for the product which the Town does not. DEP has noted there is no point in going forward. The Town will be a glass shipping community and will have to pay a fee to other sites under consideration in our area. Mr. Genereux stated that this does not make sense from an economic perspective. The group discussed two other grant opportunities worth \$4,500 that the Town has applied for and will likely receive.

**b. Leroux Liquors Fence**

The Board discussed the fence requested by Harry Patel at Leroux Liquors. The proposed fence would only go behind the liquor store and adjacent flower shop to connect to the existing fence and not down the driveway.

The cost is estimated at \$19,700 including tree removal and site work. Most of the site work is behind the flower shop at a cost of \$8,300. Mr. Genereux noted he mentioned the fence to the Finance Advisory Board but there are insufficient reserve funds in FY18 for the fence. The Finance Advisory Board had concerns about whether or not the fence was in the original contract as well as whether or not this should be a project expense or a general government expense. Mr. Genereux felt that whether or not it was part of the project scope, equipment needed for the new Headquarters should take precedence over the fence to ensure the station has everything it needs. A motion was made by Mr. Brooks and seconded by Mr. Belanger to put in the fence as presented and identify a funding source for the \$20,000 cost. Under discussion, Mr. Belanger believed the Town made a commitment and the project could be split 50/50 between the Fire Station and General budgets. The motion carried 3:2 with Mr. Green and Ms. Wilson casting the opposing votes.

Mr. Belanger noted there is 13 feet from the curb of the Fire Station driveway to Leroux's driveway and believes the decision to not put trees down the driveway was based on erroneous information. Mr. Genereux recommended the Highway Superintendent be involved in any future discussions regarding a fence down the driveway. Ms. Wilson noted Mr. Patel has always maintained he wants a fence and was not open to a green solution. Resident Tom Buckley stated he doesn't understand why all abutters were taken care of except for Leroux and the flower shop. Mr. Buckley stated he believes not having the fence down the driveway is a safety issue because kids walk through there.

#### **c. Board of Fire Engineers Appointments**

Mr. Genereux noted he received an email from Matt Tebo on the Board of Fire Engineers requesting the Board reconsider the appointment of Mike Wilson to the Board of Fire Engineers. A motion was made by Ms. Provencher and seconded by Mr. Belanger to rescind the motion to appoint Mike Wilson to the Board of Fire Engineers. Under discussion, Ms. Provencher noted this is not a commentary on Mr. Wilson but rather an issue with the lack of a proper appointment process which has resulted in many in the department being upset. Mr. Belanger stated Mike Wilson is a quality person and would not hesitate to vote for his appointment provided the full process had been followed with the entire Board of Fire Engineers involved. Mr. Belanger noted he hopes when the Board goes through the full process they will appoint Mike Wilson and also make it a 5 member board. Ms. Wilson noted the Board of Fire Engineers knew for six months they had an opening coming and have had four members for the last six years or longer. Ms. Wilson stated only last appointment was done with interviews and recommendations and prior to that the Select Board made the appointments. Ms. Wilson reiterated she did not expect him to be named chief but felt the fire inspector needed a seat on the board and added that last time the Board of Fire Engineers did interviews it was a tight decision between Mr. Wilson and Mr. Tebo and the panel recommended Mr. Wilson be appointed should a fifth position open up on the Board. Ryan Plante, head of the Leicester Firefighters Associated noted the moral has been magnificent with new fire station but that everyone was caught off guard and blindsided by this appointment. Mr. Plant stated Mr. Wilson is an excellent candidate but there should be an interview process where other firefighters can at least be considered for the position. Mr. Plant stated the Leicester Firefighters Association believe the Board of Fire Engineers should be a five member board. The motion carried 4:1 with Ms. Wilson casting the opposing vote.

#### **d. Board and Committee Appointment Policy**

Ms. Provencher believes those appointed to Town Boards and Committees should be registered voters. Mr. Belanger recommended getting input from the Chairs of the Committee regarding the attendance of incumbents. A motion was made by Mr. Brooks and seconded by Ms. Wilson to approve the appointment policy with one change: board/committee members must be registered votes. The motion carried unanimously.

#### **4. NEW BUSINESS**

**a. Resignation – Constance Trombley, Council on Aging**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to accept the resignation of Constance Trombley from the Council on Aging and to send a letter of thanks. The motion carried unanimously.

**b. Resignation – Ann Marie Parkinson, PD Department Assistant**

A motion was made by Ms. Wilson and seconded by Ms. Provencher to accept the resignation of Ann Marie Parkinson, Police Department assistant, and to send a letter of thanks. The motion carried unanimously.

**c. Resignation – Dick Johnston, ZBA**

A motion was made by Ms. Provencher and seconded by Mr. Belanger to accept the resignation of Dick Johnston from the ZBA and to send a letter of thanks. The motion carried unanimously.

**d. Appointment – Richard Spaulding III, PD Department Assistant**

A motion was made by Ms. Provencher and seconded by Mr. Belanger to appoint Richard Spaulding III to the position of Department Assistant for the Police Department. The motion carried unanimously.

**e. Appointment – Nicholas Casello, Road Conversation Committee**

A motion was made by Ms. Provencher and seconded by Mr. Belanger to appoint Nicholas Casello to the Road Conversion Committee. The motion carried unanimously.

**f. Appointment – Katheryn Stapel, Student Liaison**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to appoint Katheryn Stapel as a Student Liaison to the Board. The motion carried unanimously.

**g. Appointment – Leona Anderson, EDC Alternate**

A motion was made by Ms. Provencher and seconded by Mr. Belanger to appoint Leona Anderson to the Economic Development Committee as an alternate. The motion carried unanimously.

**h. Appointment – Jeffrey Clark Jr., Per Diem/On Call EMT Basic**

A motion was made by Ms. Provencher and seconded by Ms. Wilson to appoint Jeffrey Clark Jr. as a per diem/on call EMT Basic. The motion carried unanimously with one abstention (Mr. Belanger).

**i. Appointment – John Kennedy, Per Diem/On Call EMT Basic**

A motion was made by Ms. Wilson and seconded by Ms. Provencher to appoint John Kennedy as a per diem/on call EMT Basic. The motion carried unanimously.

**j. Appointment – FY19 Town Counsel**

A motion was made by Ms. Wilson and seconded by Mr. Belanger to appoint Petrini & Associates as General Counsel and Labor Counsel for the Town of FY19. The motion carried 3:2 with Mr. Green and Mr. Brooks casting the opposing votes. The motion carried unanimously. The Board requested a letter of thanks be sent to D. Mochos for his prior service as Labor Counsel.

**k. FY19 Board & Committee Vacancies**

This item was passed over.

**l. Purchase Order – Motorola – Phase IV of Radio Communications Project**

The Board discussed the proposed purchase order with Motorola for Phase IV of the radio communications project. Sgt. Antanavica noted the Town will have another receiver site as part of this agreement which will pick up current weak spots in Cherry Valley. Ms. Wilson expressed concerns about talk out issues. Sgt. Antanavica responded that there will be testing at multiple locations. A motion was made by Ms. Wilson and seconded by Ms. Provencher to approve the contract with Motorola and to authorize the Chair to sign an agreement with Hamden for installation of the receiver site. The motion carried unanimously.

**m. Award FY19 Highway Material Bids**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to accept the recommendations of the Highway Superintendent and award the FY19 Highway Material Bids. The motion carried unanimously.

**n. Establish Town Government Study Committee**

A motion was made by Mr. Belanger and seconded by Ms. Wilson to establish and Town Government Study Committee. Under discussion, the Board discussed the composition of the committee and asked the Town Administrator to come back with a recommendation on who should make the appointments. The motion carried unanimously.

A motion was made by Ms. Provencher and seconded by Ms. Wilson to extend the meeting past 10pm. The motion carried 3:2 with Mr. Brooks and Mr. Belanger casting the opposing votes.

**o. Establish Town 300<sup>th</sup> Anniversary Committee**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to establish a 300<sup>th</sup> Town Anniversary Committee and to direct the Town Administrator to come back with a composition and charge. The motion carried unanimously.

**p. Bond Anticipation Notes – Hillcrest & Middle School Feasibility Study**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to approve the bond anticipation notes for the Middle School Feasibility Study in the amount of \$300,000 and for the purchase of the house at Hillcrest in the amount of \$100,000. The motion carried unanimously.

**q. Authorize Chair to Execute Hillcrest Closing Documents**

A motion was made by Mr. Belanger and seconded by Mr. Green to authorize the Chair to execute the closing documents for the purchase of the house at Hillcrest. The motion carried 4:1 with Mr. Brooks casting the opposing vote.

**r. Fire Inspection Fee Increase**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to approve the FY19 Fire Inspection Fees as presented. The motion carried unanimously.

**s. EMS Rate Increase**

A motion was made by Ms. Wilson and seconded by Mr. Brooks to approve the FY19 EMS Rates contingent upon confirmation that Medicare and Medicaid patients will not be billed for any balance caused by the rate increase that insurance won't cover. The motion carried unanimously.

**t. Reserve Fund Transfer – Veterans Services, Legal**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to approve a \$10,000 reserve fund transfer to the legal budget. The motion carried unanimously.

A motion was made by Ms. Wilson and seconded by Ms. Provencher to approve a \$20,000 reserve fund transfer to the Veterans budget. The motion carried unanimously.

**u. Contract Amendment – Town Hall Accessibility Project – Kang & Associates**

A motion was made by Ms. Wilson and seconded by Ms. Provencher to approve the contract amendment with Kang & Associates for design services for the Town Hall Accessibility Project. The motion carried unanimously.

**v. Contract – MassDOT – Auburn & Church Street Bridge Replacement Project**

A motion was made by Ms. Wilson and seconded by Ms. Provencher to approve the contract with MassDOT for the Auburn & Church Street bridge replacement project. The motion carried unanimously.

**w. Fire & EMS Headquarters Finances**

Ms. Wilson provided an updated summary of finances at the Fire Station. The remaining project costs add up to \$82,000. The current project has less than \$56,000 but the Town is waiting on a \$30,000 reimbursement from MassDOT for the Opticom but there are no guarantees the Town will receive 100% of the requested funds.

**5. TOWN ADMINISTRATOR REPORT**

This item was passed over.

**6. MINUTES**

**a. May 21, 2018**

A motion was made by Ms. Provencher and seconded by Mr. Green to approve the minutes of May 21, 2018 with the following change: Ms. Wilson asked that her reasons for recommending Mike Wilson be appointed to the Board of Fire Engineers be included in the minutes. The motion carried unanimously.

**7. SELECT BOARD REPORTS**

Mr. Belanger stated he always acted like was never going to run again so he could make decisions in best interest of community. After 32 years of service, he thanked present and past Boards and the Townspeople for the opportunity to serve, noting it was fulfilling. not personal – good guide – 32 years thank present and past boards and townspeople for opportunity been fulfilling. Ms. Provencher wished the students a great, fun summer.

**8. EXECUTIVE SESSION, MGL Chapter 30A, Section 21A**

A motion was made by Mr. Belanger and seconded by Ms. Provencher to enter in to executive session at 10:36pm. Roll call: All Ayes

A motion was made by Mr. Belanger and seconded by Ms. Provencher to go out of executive session and back in to open session at 11:09pm. Roll call: All Ayes

A motion to adjourn was made by Ms. Provencher and seconded by Ms. Wilson at 11:09pm. Roll call: All Ayes