

SELECT BOARD MEETING MINUTES
MAY 1, 2023, AT 5:30PM
SELECT BOARD CONFERENCE ROOM, TOWN HALL, 3 WASHBURN SQUARE, LEICESTER, MA 01524

Chair Rick Antanavica called the meeting to order at 5:30PM. Chair Rick Antanavica, Vice Chair Allen Phillips, Second Vice Chair Dianna Provencher, Selectman Herb Duggan Jr, Selectman John Bujak, Town Administrator David Genereux, and Assistant Town Administrator Chris Vitale were in attendance.

1. EXECUTIVE SESSION

- a. To consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body pursuant to M.G.L. c. 30A, §21(a)(6) – Disposition of Former College Victorian Properties; DCHD lease of three former dormitories

Motion 050123-1a.1: A motion was made by Mr. Duggan to go into executive session, seconded by Mr. Phillips. **Motion carries 5-0-0 (Roll Call Vote) at 5:02pm.**

Motion 050123-1a.2: A motion was made by Ms. Provencher to exit executive session, seconded by Mr. Duggan. **Motion carries 5-0-0 (Roll Call Vote) at 6:54pm.**

2. RESIGNATIONS & APPOINTMENTS

- a. **Appointment – Kristopher Soucie – Firefighter (Fire Department)**

Mr. Duggan stated Mr. Soucie could not be here tonight but worked for town for 15 years and could come back to speak with the Select Board if requested.

Motion 050123-2a: A motion was made by Ms. Provencher to appoint, seconded by Mr. Bujak. **Motion carries 5-0-0 (Roll Call Vote) at 6:58pm.**

3. REPORTS

- a. **Student Liaison Reports**

The agenda item was passed over.

- b. **Town Administrator's Report**

Mr. Genereux provided an overview of the Town Administrator's Report, which was included in the Select Board packet. Mr. Bujak asked if HVAC is on the table in the Borger Building. Mr. Genereux stated not at this time. Mr. Genereux stated the town is seeking a waiver to do the fire suppression system next summer so they can get kids in for this upcoming year. Mr. Genereux stated occupancy would only be for the first floor, as they would need an elevator to utilize the second floor. Mr. Genereux stated the town submitted a grant for that funding. Mr. Bujak asked for an update on the Vet Clinic. Mr. Genereux stated the town is having discussions with one interested party. The discussion is in its infancy, and they requested one year of utility information from National Grid. Mr. Genereux stated there is an updated debt exclusion chart on the town website under the Town Administrator page.

Mr. Bujak asked for clarification on the road project on Marshall Street and use of Chapter 90 funds.

Mr. Antanavica stated highway has no days off starting next week starting to get done.

Mr. Bujak asked about the vacancy in the DPW Department and what the holdup is. Mr. Genereux stated the town has six total vacancies, and none will be hired until the town is sure about how its funding the operational cost of the campus. Mr. Genereux does not want to fill a position and then have to do layoffs. Mr. Bujak asked if the hires would be made after the Town Meeting vote. Mr. Genereux stated the funding for the positions is related to the vote the town put off tonight.

Ms. Provencher stated Proposition 2 ½ is just for the school and not town administration.

Mr. Duggan stated he wants to see public safety positions funded over administrative positions. Mr. Genereux stated the decision will likely be all of nothing.

c. Economic Development Report

Mr. Vitale provided an overview of the Economic Development Report, which was included in the Select Board packet. Mr. Bujak complimented Vangarden and stated he toured the facility was impressed.

No action was taken by the Select Board on this agenda item.

d. Select Board Reports

The Select Board took this agenda up at 8:32pm.

Mr. Phillips complimented the Senior Program and EDC business tour. Mr. Phillips requested the property sales be included to the agenda as a standing update. Mr. Phillips asked for an update on the Waite Pond Dam cement. Mr. Genereux stated he has not heard back but he will contact them.

Mr. Duggan stated he wants to revisit ARPA funds for first responders. Mr. Duggan stated he would like to see an executive session regarding an ongoing IOD claim with a firefighter.

Mr. Bujak asked if there is a Select Board meeting before the Annual Town Meeting. Mr. Genereux stated the meeting will be in the Select Board Conference Room at 6:00PM. Mr. Genereux stated under Article 2E, the cost came in higher than expected. The group is looking for the Select Board's support to change the request to \$100K.

Mr. Bujak asked about the fence at the fire department and a tree that needs to be taken down or maintained. Mr. Genereux stated he will look into the tree, but the fence is a different issue.

Mr. Fontaine stated the fence needs to be taken care of for the business in town.

Mr. Bujak wants to discuss reinstating the Personnel Board on a future agenda. Mr. Bujak asked if they will be rescheduling the offsite retreat.

Select Board members discussed holding it the first Saturday of June.

Ms. Provencher stated the Senior Prom was a great event and pictures will be available soon. Ms. Provencher and Mr. Phillips stated the Prom King and Queen.

Mr. Antanavica encouraged residents to show up tomorrow night for the Annual Town Meeting at the New Leicester High School Gym at 7:00PM.

4. SCHEDULED ITEMS

a. 6:00pm – Public Cable License Renewal Hearing

Mr. Vitale began the discussion by stated the town is up for its cable license renewal with Charter. Mr. Vitale stated the license is for 10 years. Mr. Antanavica read the legal notice posted. Mr. Vitale opened the public hearing. Mr. Doug Belanger of the Cable Advisory Committee stated the issue the town hears the most is quality. Mr. Belanger stated the price is what it is. During the last renewal process, the town tried to get a go-to person who could address specific neighborhood concerns and complaints. Mr. Belanger stated it worked for a period of time. Mr. Belanger stated with a little pressure, the town can get that.

Mr. Bujak asked why Verizon Fios isn't an option. Mr. Belanger stated in general, this is an exclusive market, and each cable company has its own turf.

Mr. Phillips stated he is correct, and Verizon would need to run their lines out here. Ms. Provencher stated she believes Leicester is on the list to get Fios.

Mr. Cusolito stated the town has to be proactive and pull Verizon in. Mr. Cusolito stated he knows this is a big issue but didn't know this was on the agenda. Mr. Cusolito stated this needs to be posted as a widespread public meeting. Mr. Cusolito stated 99% of the people who have problems didn't know this was being discussed.

Ms. Provencher stated the biggest problem is buffering and bad cables. Ms. Provencher stated now is the time to pull Fios in.

Mr. Genereux stated he would review the license agreement.

Mr. Vitale stated this hearing is based on Charter's performance.

Mr. Antanavica stated the town faces the same problem, which is the wind.

Mr. Antanavica stated the town needs to have a larger discussion. Mr. Antanavica requested Mr. Vitale to get a contact person.

Artie of LCAC stated they are doing streaming now, and as long as you have internet, you can lower your bills that way. Artie stated LCAC is part of the negotiations.

Mr. Bujak asked if the town can build educational programs through the contract negotiation. Artie stated LCAC gave the school a studio years ago and it was turned into a weight room. Artie stated they have some funds to do that for the schools.

Mr. Antanavica requested LCAC to work with the Town Administrator's Office about a program proposal.

Mr. Genereux read the latest cable licensing agreement and confirmed it was non-exclusive.

Motion 050123-4a: A motion was made by Mr. Phillips to close the public hearing, seconded by Mr. Bujak. **Motion carries 5-0-0 at 7:38pm.**

b. **6:20pm - PACE (Property Assessed Clean Energy) Program Authorization.**

Mr. Genereux provided a draft resolution to participate in the PACE program. Mr. Genereux provided an overview of the PACE program for the Select Board. Mr. Genereux stated it is a passthrough to help business in town.

Ms. Provencher asked Mr. Genereux if individuals didn't pay if it would go on tax sale. Mr. Genereux stated the town is not liable, and there is no collection activity.

Mr. Bujak asked how many people would qualify for the program, and if it is an undue burden on departments to administer. Mr. Genereux stated the work involved is part of what the town already does. Mr. Genereux stated individuals would need to have a large commercial or industrial facility to make it worthwhile. Mr. Genereux stated once it is coded, it will come in through the system versus doing it by hand. Mr. Genereux stated the Patriot software does not do it, so they will have a schedule in the Assessor's Office.

Motion 050123-4b: A motion was made by Mr. Duggan to move forward with the authorization, seconded by Mr. Bujak. **Motion carries 5-0-0 at 7:43pm.**

c. **6:30pm – Change of Manager, Liquor License Leicester Social Club (Knights of Columbus)**

Mr. Genereux began the discussion by stating the application is in the packet. The Select Board paused the discussion while the Police Chief reviewed the application. Chief Antanavica completed his review of the application at 8:00PM. Chief Antanavica stated after conferring with the Police Sergeant, everything is in order, and he is in favor of the change of management.

Mr. Donald Gillette stated he is a Grand Knight and Bar Manager. Joe stepped down at the beginning of the year. Mr. Gillette stated he has been a resident of Leicester for the past 7 years as well as back in the 1980s. Mr. Gillette stated he has a wife and eight kids.

Motion 050123-4c: A motion was made by Ms. Provencher to approve the change of manager, seconded by Mr. Bujak. **Motion carries 5-0-0 at 8:02pm.**

d. **6:40pm – Maple Hill Disc Golf request for 30 One-Day Liquor Licenses**

Mr. Steve Dodge introduced himself to the Select Board. Mr. Dodge said the event would have the same setup as last year. Mr. Antanavica stated he would be in favor for several reasons including positive track record and partnership with a Massachusetts Brewing Company. Mr. Antanavica stated his only concern is parking. Mr. Antanavica stated he just needs the insurance certification and TIP certifications. Mr. Antanavica stated he will work with Mr. Dodge prior to the event. Mr. Dodge stated he will be getting details for the event. Mr. Dodge requested a change of dates from July 1-3 (originally requested) to August 5-6. Mr. Dodge stated he sent an email to the Town Administrator's Office during the meeting.

Motion 050123-4d: A motion was made by Mr. Phillips to approve the 30 one-day liquor licenses with the amended date request with the condition that the applicant provide the requested documents to the Police Chief, seconded by Ms. Provencher. **Motion carries 5-0-0 at 8:05pm.**

5. **PUBLIC COMMENT PERIOD**

Mr. Jeffrey Fisher thanked the Fire Department for addressing a brush fire by his home. Mr. Fisher thanked the town for the opportunity to look at the DHCD contract. Mr. Fisher stated he is happy to help as a volunteer.

Mr. Doug Belanger stated he met with the Town Administrator and Assistant Town Administrator and the proposed motion for Article 2E is incorrect. Mr. Genereux has the updated quotes for the project. Mr. Belanger asked the Select Board to look at the updated quotes prior to Town Meeting.

Mr. Bob Mercer stated he spent a lot of time with the override. Mr. Mercer raised a resident concern request town's management of finances and requested that the Select Board provide updates as part of their agenda with a summary of progress selling the properties.

6. CIVIC ANNOUNCEMENTS

Annual Town Meeting – Tuesday, May 2nd, 2023, at 7:00PM in the New Leicester High School (former Becker) Gymnasium (959 Main Street, Leicester, MA 01524)

Special Town Election – Tuesday, May 9th, 2023, from 12:00PM-8:00PM in the Town Hall Gymnasium (3 Washburn Square, Leicester, MA 01524)

ARPA Community Grant Program – Grant details can be found at <https://sites.google.com/view/leicesterarpagrant/home>.

Mr. Fontaine stated the program kicked off. Applications will be accepted from April 17th to June 17th. Mr. Fontaine stated the ARPA Grant Review Committee went door-to-door at businesses and held three community forums. Mr. Fontaine stated people seemed to be excited about the program.

Mr. Bujak asked for clarification on the Annual Town Meeting and Special Election. Mr. Genereux stated Town Meeting votes on a contingent appropriation of funds (Article 5) and the Special Election is authorization to raise the funds. Mr. Genereux reviewed scenarios associated with the results of the two votes.

7. OTHER BUSINESS

a. Field Logo and Scoreboard Wrap Donation Acceptance

Mr. Genereux reviewed a letter on the LHS Turf Field Projects. Mr. Genereux stated the town needs to vote to formally accept the donation. Mr. Genereux stated the field work will be done in mid-July.

Motion 050123-7a: A motion was made by Mr. Phillips to accept the donation, seconded by Ms. Provencher. **Motion carries 5-0-0 at 8:10pm.**

b. Senior Center Donation Acceptance

Mr. Vitale provided an overview of the donation thank you letter, which was included in the Select Board packet. Ms. Provencher thanked the volunteers who helped with the prom. Ms. Provencher stated everyone went above and beyond.

Motion 050123-7b: A motion was made by Mr. Phillips to accept the donation, seconded by Mr. Duggan. **Motion carries 5-0-0 at 8:12pm.**

c. **Moose Hill Commissioners elected-to-appointed ballot question placement**

Mr. Genereux stated this was voted last year, but it never appeared on the ballot. Mr. Genereux provided the ballot specimen, and stated the town is requesting it on for this year's ballot.

Motion 050123-7c: A motion was made by Mr. Phillips to approve the ballot question placement, seconded by Ms. Provencher. **Motion carries 5-0-0 at 8:12pm.**

d. **Vote to sign the Annual Town Election Ballot**

Motion 050123-7d: A motion was made by Mr. Phillips to sign the Annual Town Election Ballot, seconded by Mr. Duggan. **Motion carries 5-0-0 at 8:13pm.**

e. **Request for Use of Traffic Controllers (Leicester Police Department)**

Chief Antanavica stated this would be a new position he wants to create within the department. This position would be appointed by the Select Board with the recommendation of the Police Chief. The Traffic Controller would patrol and direct vehicle traffic and could be used for special events and emergency situations. The Traffic Controller would operate under the Police Chief or designee. The position shall not carry a firearm unless having the proper training/approvals. This position would be little cost to the department and would allow one person right now to do details for the town. This position is an opportunity for other officers to take a step back and be traffic controllers rather than a Special Officer. Mr. Duggan stated a lot of towns are creating this position.

Motion 050123-7g: A motion was made by Mr. Duggan to approve the request, seconded by Ms. Provencher. **Motion carries 5-0-0 at 8:16pm.**

f. **Worcester Airport Advisory Committee Vacancy Appointment**

Mr. Vitale reviewed a memo from Mr. Andy Davis, which was included in the Select Board packet. Mr. Antanavica requested to be appointed to the Airport Advisory Committee.

Motion 050123-7f: A motion was made by Mr. Duggan to appoint Mr. Antanavica, seconded by Ms. Provencher. **Motion carries 5-0-0 at 8:18pm.**

g. **DHCD Contract Vote**

This agenda item was passed over.

h. **Disposition of Town-Owned Victorian Properties Vote**

Mr. Genereux began the discussion by stating the vote tonight would be to put up four (4) of the five (5) houses for auction. Mr. Genereux stated the 1812 House will not be put up for sale, as the town needs to lay out the street there and at the Staff House first. The Town expects to put those items up for consideration at the Fall Special Town Meeting.

Mr. Genereux stated the town still needs to make adjustments to the sewer line at the Russell House, and they have a quote to remove that. Mr. Genereux stated the Russell House will connect by itself into the sewer system.

Mr. Phillips stated the proceeds of the sale goes toward the debt exclusion and not toward Becker. The sale of the properties will lower the long-term debt balance and have a positive effect on the tax rate.

Mr. Jeffrey Fisher asked if a deed restriction or condition of sale was restricting the sale of marijuana. Mr. Genereux confirmed it was a deed restriction.

Mr. Fran Joyce asked if there were any further stipulations, to which Mr. Phillips stated no.

Mr. Bujak asked why the town was doing deed restrictions and stated they have not seen the deed restriction and need clarity.

Mr. Bob Mercer asked for clarity with regards to the condition of sale requiring financial capability. Mr. Mercer asked if they need escrow. Mr. Genereux stated it is not enforceable. Mr. Mercer asked why the town was doing it if it is not enforceable. Mr. Bujak stated he pushed for it because he does not want to see the houses be dilapidated. Mr. Mercer asked for the town to remove that restriction. Mr. Bill Roberts asked for clarity on the historic district and restrictions on the houses.

Mr. Antanavica stated the houses are on the National Register.

Mr. Cusolito stated the adaptive reuse bylaw was passed at the 2023 Winter Special Town Meeting.

Motion 050123-7h: A motion was made by Mr. Phillips to auction Winslow Hall, Russell Hall, Lane Hall, and Hitchcock Hall through Zekos and utilize the fact the houses are included in the National Register of Historic Places with the conditions of sale that: The final buyer would be required to show financial capability to purchase and work on the properties; and the town will expect to get revenue in the form of property taxes or a PILOT agreement at a similar rate to taxes. In addition, move to place a deed restriction to restrict cannabis business activities within the buildings, seconded by Mr. Duggan.

Motion carries 5-0-0 at 8:32pm.

8. MINUTES

- a. April 4, 2023 – Workshop
- b. April 13, 2023
- c. April 18, 2023

Motion 050123-8: A motion was made by Mr. Phillips to approve the meeting minutes, seconded by Mr. Duggan. **Motion carries 5-0-0 at 8:32pm.**

Motion 050123-9: A motion was made by Mr. Phillips to adjourn, seconded by Ms. Provencher. **Motion carries 5-0-0 at 8:47pm.**