

SELECT BOARD MEETING MINUTES
AUGUST 27, 2018 at 6:30pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 6:30pm. Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and student liaisons Alyssa Pupillo and Katheryn Stapel were in attendance.

1. EXECUTIVE SESSION

a. **Executive Session Minutes**

b. **Exception 3 – Discuss strategy with respect to litigation (Builder Systems Inc. Litigation)**

A motion was made by Ms. Wilson and seconded by Mr. Brooks to enter into executive session under exception 3, discuss strategy with respect to litigation (Builder Systems Inc. Litigation) at 6:31pm and to resume in open session upon completion. Vote by Roll Call: All Ayes

2. PUBLIC COMMENT PERIOD

None

3. RESIGNATIONS/APPOINTMENTS

a. **Appointment – LEPC Hospitals & Public Health Representative, Alissa Errede**

This item was passed over.

b. **Appointment – Health Insurance Advisory Committee, Joanne Hovagimian (Secretary Union)**

This item was passed over.

c. **Appointment – Jail Monitor & Special Police Officer, Laura Laliberte**

A motion was made by Ms. Wilson and seconded by Mr. Brooks to appoint Laura Laliberte as a Jail Monitor and Special Police Officer. The motion carried unanimously.

4. OTHER BUSINESS

a. **Parking of Commercial Vehicles on Public Roads**

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to ban the parking of commercial vehicles for more than an hour on public roadways between the hours of 8pm and 6am and to set the fine for violating this regulation at \$100. Under discussion, the Board discussed possible locations where tractor trailers could park overnight including the drivers getting permission from Walmart or another business to park. Highway Superintendent Dennis Griffin stated there are plenty of commercial spaces available for parking and noted that commercial vehicles parked overnight on roadways inhibit snow plowing activities. The motion carried unanimously.

b. **Private Road Bylaw**

Mr. Genereux discussed the Town's previous work on private roads including grading twice a year and after severe weather conditions. The work is temporary in nature but made the roads more passable for residents. Mr. Genereux noted using public funds for private road maintenance is against Mass General Laws unless a bylaw is adopted by Town Meeting. Mr. Genereux discussed the bylaw drafted for Town Meeting which, if passed, would enable the Town to maintain various aspects of private roads, including drainage, and puts mechanisms in place for the work to be paid for including charging the residents who live on the private roads

for these services but also allowing them to petition the Board to waive the cost. Highway Superintendent Dennis Griffin stated that it costs \$7,000 per year to grade the private roads twice a year and the same potholes need to be addressed time and time again. Mr. Griffin stated the root of the problem should be addressed including drainage and grading issues because if grindings are put in the potholes they get washed away during storms. Mr. Genereux stated the Town will continue to plow all private roads and that there is no change to this policy. Residents expressed concerns including safety, cars driving on lawns to avoid potholes, the ability to use motorcycles on these roads, damage to cars from potholes, the extra time it takes ambulances to get down private roads in case of emergencies and the cost to make permanent fixes to the roads. Mr. Brooks felt strongly that the Town should continue to grind roads twice a year on roads that haven't been permanently fixed until they are fixed. Mr. Green stated some Towns do a 50/50 match for fixing private roads; a small amount of Town funds are appropriated each year for residents who request repairs to their roads. Ms. Wilson asked about the legal ability to make emergency repairs to private roads and Mr. Genereux stated he would look into this. There are 55 private roads in the Town, some of which are paved and some of which are paper roads.

A motion was made by Ms. Wilson and seconded by Mr. Green to put the private road bylaw on the Fall Town Meeting warrant. The motion carried unanimously.

c. Revised Grindings Policy

Mr. Genereux presented an updated grindings policy revised to clarify that grindings in excess of \$10,000 must be sold through Chapter 30b and that Town owned vehicles can't be used to deliver excess grindings to nonprofits as this is a violation of the Anti-Aid Amendment. The grindings request form has also been updated to include a waiver of liability. Mr. Griffin stated the average cost of coarse millings is \$15/ton and anticipates using surplus for parks and the highway parking lot but anything after that would be available to residents if under \$10,000. Per the Board's policy, this is a first read of the policy and will go on the next Board agenda to be voted on.

d. Historical Commission Donation

This item was passed over.

e. Contract – Director of Development & Inspectional Services, Michelle Buck

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to sign a three year employment agreement with Michelle Buck, Director of Development & Inspectional Services. The motion carried unanimously.

f. Future Use of 1 Paxton Street

The Board discussed the future of 1 Paxton Street including a creating museum or offices, maintaining its historic nature through deed restrictions, restricting it from being torn down, seeking grants, annual maintenance costs estimated at \$16,000 and doing an RFP where the Town has more control over selecting the buyer versus putting it out to bid where the highest bidder wins. A motion was made by Ms. Wilson and seconded by Mr. Antanavica to put the authorization to sell 1 Paxton Street at the Board's approval on the Fall Town Meeting warrant. The motion carried 3:2 with Mr. Brooks and Ms. Wilson casting the opposing votes.

g. Restaurant BYOB Policy

A motion was made by Mr. Brooks and seconded by Ms. Wilson to adopt the restaurant BYOB policy. The motion carried unanimously.

h. FY19 Class and Comp Plan

Mr. Genereux presented and updated Classification and Compensation Plan for non union Town employees. The updated plan has five steps and the goal is to get all current employees to the benchmark. New employees

would start between steps 1 and 3 depending on experience. A motion was made by Ms. Wilson and seconded by Mr. Green to adopt the updated FY19 Class and Comp Plan as presented. The motion carried unanimously.

i. Former Rochdale Library

The former Rochdale Library property is owned by the adjacent Schoolhouse Condominium Trust. The Select Board entered into a 99 lease with the trust in 1982. The agreement requires the Town to maintain the property and paint the it by 1985. To date, the structure has not been painted and is falling down. The Building Inspector, Police Chief and Highway Superintendent looked at the building and agreed that the building can't be saved. The building is not historic as it was built in 1939. Mr. Genereux will reach out to the Trust to inform them of the condition of the building and ask to either revoke the lease or remove the building. A motion was made by Ms. Wilson and seconded by Mr. Antanavica to authorize the Town Administrator to contact the Schoolhouse Condominium Trust to see if the lease can be terminated or if the Town can obtain permission to tear it down and also to determine what monument was previously sited there and if it can be found/replaced. The motion carried unanimously.

j. Blackstone Valley Regional Chamber of Commerce Membership

A motion was made by Mr. Brooks and seconded by Mr. Green to authorize the Town of Leicester become a member of the Blackstone Valley Regional Chamber of Commerce. The motion carried unanimously.

k. 2018 Fall Special Town Meeting

Mr. Genereux discussed the first draft of the Fall Special Town Meeting warrant (Attachment 1).

l. Burncoat Park Discussion

Mr. Genereux discussed upgrades at Burncoat Park. All poles and wiring must be replaced at a cost of \$19,800, which does not include the cost for installing lights on the poles or on the field. Mr. Genereux noted the cost of rehabilitating the field would be approximately \$8,000 at its existing size. Mr. Griffin noted he would not be opposed to extending the field out another 15 or 20 feet as there have been comments that the field is not large enough. Mr. Genereux noted funding sources include the \$20,000 allocated for parks at May Town Meeting, \$50,000 allocated for parks from the State and the \$25,000 allocated for parks in the Cultivate recreational marijuana host community agreement. This funding would be allocated to specific projects and Parks and Rec would be included in these discussions. Rochdale Park will not work as a beach due to the overgrowth of water chestnuts in the pond. Addressing the water chestnuts is estimated to cost \$400,000 and while put in the bond bill, it is unlikely to be funded.

5. REPORTS

a. Student Liaison Report

The Student Liaisons presented updates from the Leicester Public Schools including school starting on August 29th, the collection of box tops to raise money for the schools, new chromebooks for the Middle School, soccer tryouts and picture day.

b. Town Administrator Report

The Town Administrator presented highlights from his written report.

c. Select Board Reports

The Select Board discussed various topics including mulching the playground at Primary, the final Concert on the Common featuring the Otters and school opening Wednesday August 29th so drive safely.

6. MINUTES

a. **July 24, 2018**

b. **August 6, 2018**

A motion was made by Ms. Wilson and seconded by Ms. Provencher to accept the minutes of July 24, 2018 and August 6, 2018. The motion carried unanimously.

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Antanavica at 9:59pm . The motion carried unanimously.