

**SELECT BOARD MEETING MINUTES
SEPTEMBER 17, 2018 AT 6:30PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 6:36pm. Chair Dianna Provencher, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and Student Liaison Katheryn Stapel were in attendance. Vice-Chair Sandy Wilson participated remotely via phone.

1. **EXECUTIVE SESSION** – No Execution Session was held

2. **PUBLIC COMMENT PERIOD** – No one present offered comment

3. STUDENT LIAISON REPORTS

The Student Liaisons provided updates from their written report including a new principal at Primary, Memorial School Yankee Candle fundraiser and family curriculum night, fundraising efforts, collection of box tops, AP exam deadline extension and field hockey updates.

4. RESIGNATIONS/APPOINTMENTS

a. **Retirement – Tim Hickey, Veterans Service Officer**

A motion was made by Mr. Antanavica and seconded by Mr. Green to accept the resignation of Veterans Services Officer Tim Hickey and to send a letter of gratitude for his service. Roll Call: All Ayes

b. **Resignation – Amy Perkins, Treasurer/Collector**

A motion was made by Mr. Antanavica and seconded by Mr. Green to accept the resignation of Treasurer/Collector Amy Perkins and to send a letter of gratitude for her service. Roll Call: All Ayes

A motion was made by Mr. Antanavica and seconded by Mr. Green to authorize the Town Administrator to conditionally hire a Department Assistant. Roll Call: Aye, Mr. Green, Ms. Wilson, Mr. Antanavica. Ms. Provencher – Mr. Brooks abstained.

c. **Appointment – Emergency Planning Committee, Hospitals & Public Health Rep., Alissa Errede**

A motion was made by Ms. Wilson and seconded by Mr. Antanavica Roll Call: All Ayes

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

A motion was made by Mr. Brooks and seconded by Mr. Green. Roll Call: All Ayes

e. **Appointment - Department Assistant, Police, Ann Marie Parkinson**

A motion was made by Mr. Antanavica, seconded by Mr. Brooks. Roll Call: All Ayes

5. OTHER BUSINESS

a. **Brookside Liquor License Violation Hearing**

Chief Hurley stated on July 10, 2018 alcohol was sold to an intoxicated individual at Brookside Package Store in Rochdale. Gregory Markowicz, Attorney for Brookside Liquors, stipulated that the individual in question was very intoxicated but the store has never had a violation at any time and there was no way of knowing how he acted in the brief time in the store and he doesn't remember anyone acting intoxicated. Runs on a two week loop, got letter two months later and there was no way to retrieve that video. Watched excerpt from the video.

Officer Lombardozzi discussed the traffic stop, noting the individual had an overly strong smell of alcohol, bloodshot watery eyes. The Attorney stated the owner is always at the store and the individual was in for 90 seconds, not all of which were in front of the cash register, and the individual in question seemed steady on his feet walking in and out of the package store. The attorney requested this incident be filed and no penalty be assessed. Mr. Patel with Brookside Liquors stated he did not ID the individual in question and he was not known to him on personal recognizance. Goes every 3 years for last 20 years for TIPS training. Chief Hurley noted his officers are constantly doing compliance checks at liquor stores when they were on patrol. Mr. Genereux stated as this is not a chronic issue he would not recommend revoking the liquor license but they have many options including taking it under advisement, recommended that a suspension would be in order but left it to the Board to pick the amount of time. A motion was made by Mr. Brooks and seconded by Ms. Wilson that all employees take TIPS training again within 30 days and provide copies to our office with a one day suspension held in abeyance for one year provided no other incidents occur and the proof of TIPS training is provided to our office by October 17th at 5pm. Mr. Green and Mr. Antanavica recommended no violations for a year – Mr. Green amended the motion for a one day period. Mr. Patel agreed to TIPS within 30 days and there will be no appeal. Roll Call: All Ayes.

b. Coderre Auto Class II License Violation Update

Ms. Forsberg read letters from the Building Inspector and Fire Inspector regarding Class II license violations at Coderre Auto. Mr. Coderre stated his contractor has come to the Town Hall to obtain a building permit to address issues with the building. Ms. Coderre stated he has removed 15 cars but it is a process as there is a lot to be moved and it is going in batches. Ms. Coderre stated no cars are being sold there and agreed that it is a junk yard. Mr. Green asked for documentation regarding how many cars have been removed. Ms. Coderre agreed to provide paperwork showing they have gone to CoPart to be sold. Mr. Coderre has a Class II license and an Auto Body license. Mr. Coderre stated there is no painting going on. Mr. Genereux recommended they contact an attorney if he wants to continue this business he needs someone who can speak on his behalf with the Town. HB – instruct Town Administrator to give requirements in writing and highly recommend getting legal representation prior to the Board revoking licenses RA Class III license look into and provide all paperwork Roll Call: All Ayes

c. Library Renovation & Expansion Project – Rob Para, OPM

Mr. Para stated that the project completion rate stood at 72% as of the end of August, with a target completion date of the end of December. They are working with Ngrid to install transformer and get electricity lined up. They received last load of granite which was sufficient to finish masonry work. Quality is excellent – question regarding the impervious area – two small islands on westerly drive architect thought ok to get rid of and is discussing with the building department. Change order #11 presented to the Library Building Committee in advance is \$27,402.89. Change orders represent 4.6% to date many based on ledge, plaster and other issues at a unit price. Includes adding control dampers not included but required, altering the frame for the door swing, valve purchase (Leicester water wanted a different valve). We were given credit for one indicated and price for the one required. Plans are not perfect; and bids are based on a specific set of documents. If an item is missed, a fair and equitable price is negotiated. Mr. Para stated for rehab of an existing building industry standard for change orders is 6-12%. The project is on budget and Mr. Para does not believe the project will go over budget. Motion made by Mr. Brooks, seconded by Ms. Wilson to allow Town Administrator to sign CO#11. Roll Call: Mr. Brooks – Aye, Ms. Wilson – Aye, Mr. Green – Aye, Ms. Provencher-Aye, Mr. Antanavica - No. Mr. Buckley, Chair of the Library Building Committee, noted the committee reviews all change orders and have had the same discussions regarding some of the change orders including the swinging door.

d. Rochdale Park Eagle Scout Project Update – Jacob Stolberg

Mr. Stolberg updated the Board on his fund raising activities to install picnic tables and grills at Burncoat Park. The Board thanked him for his efforts.

e. Becker College One Day Liquor License – September 22nd

Motion made by Mr. Brooks, seconded by Ms. Wilson to grant the license. Roll Call: All Ayes

f. Grindings Policy (second reading)

The Board discussed retaining a portion of grindings for resident's use unless all grindings will be used by the Town. Mr. Griffin stated he doesn't foresee the Town using all of the millings but does have some substantial projects in which they will be used. Mr. Genereux stated according to counsel there is a pile and it is assigned a value but there is no segregation of uses however under the private roads bylaw some will be used for them as well. The policy has a form and anyone requesting grindings can fill out the form and when there are surplus grindings available will be taken in the order in which they are received. Mr. Griffin stated there will probably be no millings next year because he will be focusing on reclamation/drainage issues. Motion made by Ms. Wilson, Seconded by Mr. Green to accept the policy. Roll call: All Ayes

g. Complete Streets Tier 3 Grant

Michelle Buck, Director of Development & Inspectional Services, discussed the Tier III grant proposal for the Complete Streets Program. Proposal is to move forward with a series of improvements around the Common including crosswalks, bike lanes and bicycle parking, safety beacons for crosswalks, sidewalk repairs and new sidewalk construction, adding two raised crosswalks to help pedestrians cross and slow traffic for at total of \$370,200 and the maximum grant that can be applied for is \$400,000. Mr. Antanavica mentioned issues with raised crosswalks and plowing and Mr. Griffin noted this would not be an issue in that particular location with frost movement and would help with speeding up the hill. Motion made by Mr. Brooks, seconded by Mr. Antanavica to submit the grant as written. Roll Call: All Ayes.

h. Board 3-5 Year Goal Workshop

The Board instructed Ms. Forsberg to send out dates for the workshop.

i. Historical Commission Donation

Mr. Green, Seconded by Ms. Wilson to accept the \$100 donation with thanks. Roll Call: Ms. Wilson – aye, Mr. Green – Aye, Ms. Provencher – Aye, Mr. Antanavica – Aye. Mr. Brooks abstained.

j. Police/Fire Working Group

Mr. Genereux discussed systemic communication issues between Town Departments and questions about policies and procedures and where the responsibilities fall and it has caused some confusion in some operations. Before it creates situations that are difficult or detrimental to the Town. The Town Administrator will bring forward reps from the Police Department and Fire Department to discuss general response protocols and make sure everyone is on the same page. Have been told there are lapses in communication that create issues and want to make sure there is no confusion to eliminate issues going forward. Has spoken with both chiefs and will bring three people together (including the Town Administrator). Mr. Genereux stated this is a priority and will be addressed with all due speed.

k. Fall Special Town Meeting

Mr. Genereux noted the Special Town Meeting draft warrant remains largely unchanged but the Board will receive a complete warrant on October 1st. Mr. Griffin discussed the proposed Highway debt exclusion. Mr. Griffin noted this is not a one-time fix but it is a good start. Moving forward get onto a maintenance and replacement plan so this does not happen again. Goal is to get this down to one page, both sides for outreach

to voters. Plans for public outreach include show on LCAC and public outreach sessions. October 20th hazardous materials waste collection day and could have open house the following weekend (October 27th).

Mr. Genereux stated the goal is to have the warrant complete for the October 1st meeting. There are two potential non-financial articles. The financial articles includes transfer of \$120k from free cash, and \$20k for replenishing reserve fund, \$100K for legal costs. The rest will be from savings in unclassified accounts (IG) and raise and appropriation, boiler issue in schools.

Two new proposed ones – adopt section of MGL which would allow for uncollected charges or fees to be put onto the tax fees – rather than ask for summons from general court – already put in max fees can under non-criminal disposition – collectability under this statute only has to do with property owners. Motion made by Mr. Green, seconded by Mr. Antanavica to add to an article to the warrant. Roll call: All Ayes.

6. REPORTS

a. Town Administrator Report

The Town Administrator provided highlights from his written report including the Church Street Bridge project, signage for an autistic child, sewer issue on private property, recreational marijuana host agreement negotiations, Green Street paving & drainage issues, Department Head meeting, open position recruitments and completing the opioid lawsuit information request which was quite extensive.

b. Select Board Reports

The Board discussed various topics including the Church Street bridge closure, S1536 \$2500 property tax exemption bill for firefighters and EMS personnel which is stuck in committee, Hearts for Heat, a letter to the sewer district for the library, cleaning out old fire station, thanking fire and police for support in the Merrimack Valley, recognizing Morgan Emory, a Leicester Girl Scout, who won Scout of the Year from the Veterans of Foreign Wars, successful Harvest Fair, Route 9 cleanup by MassDOT coordinated by Senator Moore's office, Worcester County Selectmen Association September 20th at 6pm on recycling.

7. MINUTES

a. August 27, 2018

Mr. Antanavica, Seconded by Mr. Green to accept the minutes as written. Roll Call: All Ayes.

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Antanavica at 9:58pm. Roll call: All Ayes.