



# PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

**ORGANIZATION:** Select Board

**MEETING:** X

**PUBLIC HEARING:**

**DATE:** October 17, 2022

**TIME:** 6:00pm

**LOCATION:** Select Board Conference Room, 3 Washburn Sq, Hybrid

**REQUESTED BY:** Maria E. Cataloni, Executive Assistant

*Agenda packet and associated documents can be found at [www.leicesterma.org/bos](http://www.leicesterma.org/bos). This agenda lists all matters anticipated for discussion; some items may be passed over, and other items not listed may be brought up for discussion to the extent permitted by law. Votes may be taken on any item brought before the Board at its meeting. Select Board meetings are recorded by LCAC. Any member of the public planning to record the meeting must first notify the Chair. **PLEASE SILENCE ALL CELL PHONES DURING THE MEETING***

<https://meet.goto.com/leicesterselectboard>

(571) 317-3122; Access Code: 364-032-797

## CALL TO ORDER/OPENING

### 1. SCHEDULED ITEMS

- a. 6:00pm - RFO Discussion

### 2. PUBLIC COMMENT PERIOD

### 3. CIVIC ANNOUNCEMENTS

### 4. RESIGNATIONS & APPOINTMENTS

- a. Appointment - Donna McCance – Council on Aging
- b. Resignation – Paul Latino - Paramedic

### 5. OTHER BUSINESS

- a. Vote Recommendations for October 18<sup>th</sup>, 2022 Special Town Meeting
- b. Vote Warrant for 2022 State Election
- c. Vote of Flammable Storage License – BP Leicester Fee Owner LLC
- d. Use of Former Becker Campus Buildings – Marsh Hall & Barrett Hall
- e. Accessibility Self-Evaluation and Transition Plan Proposal – Edward J. Collins, Jr. Center for Public Management
- f. Discuss end date of Covid-Time Classification
- g. Disposition of Victorian Houses

### 6. MINUTES

### 7. REPORTS

- a. Student Liaison Reports
- b. Report of the Town Administrator's Office
- c. Select Board Reports

**ADJOURN**



## TOWN OF LEICESTER CITIZEN VOLUNTEER FORM

From time to time vacancies/resignations occur on various town boards and committees. Should you be interested in volunteering to serve the Town in any capacity, please complete this form. Information received will be made available to boards, committees, and departments for their reference in filling vacancies.

NAME Donna M McCance HOME TEL. \_\_\_\_\_

ADDRESS: \_\_\_\_\_ WORK TEL. \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

Are you a citizen?  Yes  No      Are you a registered voter?  Yes  No

- |   |   |
|---|---|
| <input type="checkbox"/> Advisory/Finance Committee         | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Agricultural Commission            | <input type="checkbox"/> Historical Commission          |
| <input type="checkbox"/> Arts Council                       | <input type="checkbox"/> Memorial Day Committee         |
| <input type="checkbox"/> Bandstand Committee                | <input type="checkbox"/> Parks and Recreation Committee |
| <input type="checkbox"/> Burncoat Park Planning Committee   | <input type="checkbox"/> Recycling Committee            |
| <input type="checkbox"/> Bylaw Committee                    | <input type="checkbox"/> Road Conversion Committee      |
| <input type="checkbox"/> Capital Improvement Planning Comm. | <input type="checkbox"/> Stormwater Committee           |
| <input type="checkbox"/> Commission on Disabilities         | <input type="checkbox"/> Zoning Board of Appeals        |
| <input type="checkbox"/> Conservation Commission            | <input type="checkbox"/> Other _____                    |

### AVAILABILITY FOR MEETINGS

How many times per month are you available for meetings?

Four  Two  One  Less than one

Are you available for evening meetings?

Monday  Tuesday  Wednesday  Thursday

Are you available throughout the year for committee meetings?

Yes  No

If not, when are you **NOT** available?

Winter  Spring  Summer  Autumn

EDUCATION: \_\_\_\_\_

Masters in Education, Anna Maria College; Masters in Human Services Management, Worcester

(Please complete reverse side)

**EMPLOYMENT EXPERIENCE:**

Town of Leicester: Are you currently or have you ever been employed by the Town?  Yes  No

If yes, state position(s) and date(s): Teacher, Leicester Public Schools 2004 until retirement in 2020

Other Experience: Start with present or last job (include title) and military service assignments. Exclude organizations' names which indicate race, religion, sex, or national origin.

Before becoming an educator for the Leicester Public School district for 22 years, I worked in I am also a member of the Leicester School Committee.

COMMENTS: Please tell us why you are interested in serving on the committees noted and any additional comments you may have:

I am interested in the position available at the Council on Aging Board position and I am happy to help in any way I can to serve these valued members of our community

**Sometimes there is a short-term need for special background skills.**


Please indicate your field(s) of training or experience below, as appropriate. Your application will be added to the list of residents who have expressed an interest in serving in similar capacities.

**I possess the following training or experience:**

- Architecture
- Communications
- Computer Technology
- Construction
- Economics
- Education
- Engineering, Civil
- Engineering, Electronic
- Engineering, Mechanical
- Financial Administration
- Fine Arts
- Government Contracts
- Health Care
- Historic Activities
- Human Services
- Insurance
- Land Use Planning
- Grant Writing
- Law
- Management
- Personnel Administration
- Property Appraisal
- Public Relations
- Real Estate
- Science
- Statistics
- Survey Research
- Systems Analysis
- Transportation

Other Skills & Interests: I am very creative, active person and I am happy to help serve the Leicester Community.

**Government or Community Volunteer Experience (Leicester or Elsewhere)**

Position/Activity	Date(s)	City or Town
Current member of the Leicester	2020-2023	LEICESTER
Leicester Women's Club	2018- present	LEICESTER
St. Joseph's/St. Pius X Thrift Store	2017 - present	
		04/27/2021
<b>Signature of Applicant</b>		<b>Date</b>

Thank you for your interest in serving the Town of Leicester

## **Maria Cataloni**

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**From:** Cloutier, Rachelle  
**Sent:** Wednesday, October 12, 2022 10:50 AM  
**To:** Maria Cataloni  
**Subject:** New member of the COA Board

At their meeting on October 6 the Council on Aging Board unanimously voted to elect Donna McCance to the COA Board. The COA Board is very pleased that Donna has accepted to be a member as she will be able to oversee important functions especially in our connections with our school. Brett Kustigian, school Superintendent was present at our last COA Board meeting and enthusiastically endorsed her appointment. Because Donna is the Chair of the Leicester School Board she is an ideal liaison for us. In her role on our COA Board she has accepted to oversee the Pen Pal Program. She has also accepted to oversee numerous programs we are planning with our schools such as: Career Option DAY with students at the senior center with our seniors whose background include: education; nursing, engineering; administrative; plumbing and electrical; police work; accounting. Christmas with Santa by the younger schoolchildren; she is presently meeting with a principal to obtain a young singer of our national anthem at our Veterans' breakfast. Her and I have met several times with various ideas to engage our students and seniors including students coming over to help our seniors with their SMART phones, computers, etc. Donna will be a great asset for us on our COA Board.

# Memo



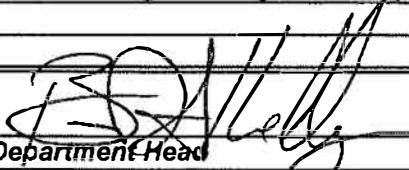

**To:** Leicester Selectboard  
**From:** Brian D. Kelley, Interim EMS Director  
**Date:** October 11, 2022  
**Re:** Paramedic Resignations

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I received an email from Per-Diem Paramedic Paul Latino on October 5, 2022 resigning his employment from Leicester EMS citing moving out of the area and increased time commitments at his full-time job (Dudley Fire) as a reason. Paul was an exemplary employee, with a positive upbeat attitude that was always willing to lend a hand – he will be missed.

# TOWN OF LEICESTER PERSONNEL ACTION CHANGE NOTICE

*Complete only those sections that apply to the changes you are making.  
"Reason/Remarks" section must be completed for any and all changes.*

<u>231-AMBULANCE</u>	<u>Paramedic</u>	<u>10/11/2022</u>
<b># and DEPARTMENT NAME</b>	<b>POSITION NAME</b>	<b>DATE</b>
<b><u>Employee Information:</u></b>		
<u>Departmental line item # within budget</u>		<u>Phone Number</u>
<u>Latino</u>	<u>Paul</u>	
<u>Last Name</u>	<u>First Name/Middle Initial</u>	
<u>Street Address</u>		
<u>Hudson</u>	<u>MA</u>	<u>01749</u>
<u>City</u>	<u>State</u>	<u>Zip</u>
<b><u>Emergency Contact:</u></b>		
<u>Name</u>		<u>Phone Number</u>
<b><u>New Employee</u></b>		
<u>Hire Date (mm/dd/yyyy)</u>	<u>Hourly Rate</u>	<u>Hours per week</u>
<u>Full or Part Time status ?</u>	<u>Benefit Eligible ?</u>	
<b><u>Rate Increase:</u></b>		
<u>Effective Date (mm/dd/yyyy)</u>	<u>Old Hourly Rate</u>	
	<u>New Hourly Rate</u>	
<b><u>Other:</u></b>		
<u>Change in Budgeted Hours</u>	<u>10/5/2022</u>	<u>LOA Date/Return</u>
	<u>Termination Date</u>	
<b><u>Reason/Remarks:</u></b>		
<b>please change mailing address, please see attached letter of resignation.</b>		
		
<u>Department Head</u>		<u>Town Administrator</u>

Revised April 2014

ENTERED BY T/C OFFICE WITH COPY TO ACCOUNTANT \_\_\_\_\_ (INITIAL)

**Brian Kelley**

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## Ems

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**paul latino**

Wed, Oct 5, 2022 at 12:54 PM

To: Brian Kelley

Afternoon Brian,

Since moving to Hudson obviously you've seen a decrease in activity from me. With the commute, overtime at Dudley, and me starting at Bolton FD I'm going to resign from the Leicester Ems department. I am not able to fulfill my per diem requirements and don't want to take up a spot on the roster. Thank you for everything and I enjoyed my time working in Leicester. I have emailed the chief informing him of me leaving the fire side as well.

Paul Latino

Sent from my iPhone



Town of Leicester, Massachusetts

# Special Town Meeting Warrant

Fall Town Meeting – October 18, 2022 – 7:00PM

“In the Hands of the Voters”

Meeting location:  
Town Hall Gymnasium  
3 Washburn Square  
Leicester, MA 01524

Published 10/03/2022



## **SPECIAL MESSAGE FROM THE MODERATOR COVID-19 PRECAUTIONS**

Extensive efforts on the part of multiple members of the Leicester Town staff have been made to create a safe environment with effective social distances. To that end, I will be enforcing the following rules for attendance, per my authority under MA General Laws.

1. Per Leicester Town By-Laws, Town Meeting is open only to registered voters. No one who is not a registered voter in the Town of Leicester will be admitted to the meeting. The exceptions are non-resident department heads, the press, and those employed as legal representatives of persons with business on the warrant.
2. While the Governor's COVID Order No. 31 has been rescinded, attendees are encouraged to take whatever precautions they feel necessary to feel comfortable attending Town Meeting.
3. There will be an ample supply of hand sanitizer available at the meeting. Please use as needed.
4. Please arrive early. Check in will be slowed by the requirements of social distancing and to allow checkers working under challenging circumstances to process voters as efficiently as possible.

## Town Rules & Procedures Review

Each Town Meeting is a formal legislative body. As such, we are governed by both Massachusetts General Laws and Chapter Two of Leicester's Town By-Laws. Our proceedings follow "Town Meeting Time, A Handbook of Parliamentary Law", and tradition.

As members of the town meeting, voters have the right, if they so choose, to present opinions and to ask questions through the moderator in relation to the motion under discussion, and only to the motion under discussion.

A voter wishing to address the meeting through the moderator should approach the microphone and must identify themselves and state their address each time they address the meeting. If it seems that the Moderator is not aware of your desire to speak, please give some signal so that you will be recognized. If you are not able to get to the microphone, please give a signal and a teller or volunteer will bring a microphone to you.

***No person shall speak more than once on any question to the exclusion of any other person who may desire to speak thereon, and*** no one may speak to any motion more than twice, except to clarify a point or respond to a question through or from the moderator, and maximum time is ten minutes. Voters must stay on topic with the motion at hand, and personal attacks or slurs of any kind will not be tolerated.

If you have a question as to why something is done in a fashion, feel free to ask. Raise that question or issue with the statement, "Point of Order."

If a member of this meeting wishes to move the question, that motion must be made from the microphone. A motion to move the question will not be accepted from the floor. A motion to move the question simply indicates that at least the individual offering the motion to move the question and person making the second have heard all the debate they feel is needed. A seconded motion to move the question is not a debatable motion. At such time, all debate will cease, and a vote is taken. A 2/3 majority is required for passage. If the motion to move the question passes, we will immediately vote on the motion which was under discussion in the hands of the meeting. If the motion to move the question is defeated, debate on the motion previously under discussion will resume. This procedure is often misunderstood but is allowed and governed under the By-Laws of the Town of Leicester.

Any motion undertaken by Town Meeting in Leicester may be reconsidered, meaning it can be brought up for a vote a second time. The motion to reconsider a motion must be made within one hour of the taking of the original vote on the motion in question. A motion cannot be brought forward for reconsideration more than once.

Any motion made must be within the scope of the articles posted in the warrant and presented to the moderator in writing.

Respectfully,

***Doug Belanger*** - Town Moderator

WORCESTER, SS.

To a Constable in the Town of Leicester,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Leicester qualified to vote in Town Elections and Town Affairs to meet at the Town Hall Gymnasium, 3 Washburn Square, Leicester, MA 01524 on Tuesday, the eighteenth day of October 2022 at 7:00 PM, then and there to act on the following articles, namely:

**ARTICLE 1 PRIOR YEAR BILLS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies in order to pay bills from prior fiscal years or take any action thereon.

**PROPOSED MOTION**

*Move the Town vote to transfer \$2,891.13 from Free Cash to pay the prior year bills as listed in the table under Article 1 of the Fall 2022 Town Meeting warrant.*

<b>Department</b>	<b>Vendor</b>	<b>Amount</b>
Highway	United Ag & Turf	227.08
Town Hall	Dillion Boiler Services Co., Inc	2,664.05
<b>Total</b>		<b>2,891.13</b>

**ADVISORY COMMITTEE RECOMMENDATION** - Favorable action (7-0-0)

**SELECT BOARD RECOMMENDATION** – Favorable Action (5-0-0)

**DESCRIPTION**

This article is required for the payment of bills prior to July 1, 2022, that were not submitted by the year-end close. These bills are for budgets administered by the Highway Department, which was going through personnel changes at that time.

**VOTE REQUIRED FOR PASSAGE** Requires a 9/10<sup>th</sup>'s vote pursuant to MGL Chapter 44, §64

**ARTICLE 2 ADJUSTMENT OF BOARD/COMMITTEE STIPENDS**

To adjust the FY 2023 stipends of the Board and Committee stipends by 2% effective as of July 1, 2022, as written in the table under Article 2 of the Fall Annual Town Meeting warrant.

<b>FISCAL YEAR 2023 ELECTED OFFICIALS PAY RATES</b>		
<b>POSITION</b>	<b>2022 ATM Schedule</b>	<b>Proposed Schedule</b>
SELECT BOARD – CHAIR	\$882	\$900
SELECT BOARD – MEMBERS (4) each	\$724	\$739
SCHOOL COMMITTEE – CHAIR	\$447	\$456
SCHOOL COMMITTEE – MEMBERS (4) each	\$197	\$201
PLANNING BOARD – CHAIR	\$320	\$327

PLANNING BOARD – MEMBERS (4) each	\$276	\$282
MODERATOR	\$81	\$83
BOARD OF HEALTH – CHAIR	\$320	\$327
BOARD OF HEALTH – MEMBERS (2) each	\$276	\$282
ASSESSOR – MEMBERS (3) each	\$597	\$609
TOTAL ELECTED STIPENDS	\$9,181	\$9,372

PROPOSED MOTION

*Move that the article be accepted as written.*

ADVISORY COMMITTEE RECOMMENDATION - Favorable action (4-3-0): The Majority feels in 2009, for the FY2010, year all stipends were cut in half and have remained unchanged since. An adjustment, to reflect the current annual cost of living, should be made. Dissenting members feel, while the failure to adjust stipends during the Annual Town Meeting was an oversight, it would not adversely affect sitting members and a retroactive increase in inappropriate. As such, the warrant should be referred to the Annual Town Meeting to be addressed in the FY 2024 budget.

SELECTBOARD RECOMMENDATION – Favorable Action (5-0-0)

DESCRIPTION

Passage of this article would give a cost-of-living adjustment to the stipends of the various Boards and Committees. This matches the 2% adjustment given to union and non-union employees for FY 2023.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. Chapter 41, Section 108

**ARTICLE 3 ACCEPTANCE OF MASSACHUSETTS GENERAL LAWS CHAPTER 59, SECTION 21A -  
ADDITIONAL COMPENSATION OF ASSESSOR FOR CERTIFICATION**

To see if the Town will vote to accept MGL Chapter 59, Section 21A which will allow an assessor or assistant assessor who has been certified as either a certified assessment evaluator or a certified assessor to receive up to \$1,000 in additional compensation as recognition for achieving that certification or take any action thereon.

PROPOSED MOTION

*Move that Town vote to accept MGL Chapter 59, Section 21A which will allow an assessor or assistant assessor who has been certified as either a certified assessment evaluator or a certified assessor to receive up to \$1,000 in additional compensation as recognition for achieving that certification.*

ADVISORY BOARD RECOMMENDATION - Favorable action (6-1-0) This was a 6-1-0 vote. The dissenting member feels certification is part of the job and no additional financial benefit is warranted.

SELECTBOARD RECOMMENDATION – Favorable Action (4-1-0)

DESCRIPTION

This acceptance allows the Town to offer an incentive for the personnel in the Assessor’s office to obtain certification, through the Massachusetts Association of Assessing Officers, which expands their knowledge base and allows them to better serve town residents.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 59, §21A.

**ARTICLE 4 ACCEPTANCE OF MASSACHUSETTS GENERAL LAWS CHAPTER 41, SECTION 108P - ADDITIONAL COMPENSATION OF TREASURER/COLLECTOR FOR CERTIFICATION**

To see if the Town will vote to accept MGL Chapter 41, Section 108P which will allow a municipal treasurer or collector who has been certified by the Massachusetts Collector and Treasurers Association to receive up to one thousand dollars (\$1,000) in additional compensation as recognition for achieving said certification or take any action thereon.

PROPOSED MOTION

*Move that Town vote to accept MGL Chapter 59, Section 21A which will allow an assessor or assistant assessor who has been certified as either a certified assessment evaluator or a certified assessor to receive up to \$1,000 in additional compensation as recognition for achieving that certification.*

ADVISORY BOARD RECOMMENDATION - Favorable Action (6-1-0) This was a 6-1-0 vote. The dissenting member feels certification is part of the job and no additional financial benefit is warranted.

SELECTBOARD RECOMMENDATION – Favorable Action (4-1-0)

DESCRIPTION

This acceptance allows the Town to offer an incentive for the Treasurer/Collector to obtain certification, which expands their knowledge base and allows them to better serve town residents. There is no transfer required under Article 5 this year, should Town Meeting authorize it, as the Treasurer/Collector is midway through the three-year process to obtain certification as a municipal treasurer.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 41, §108P.

**ARTICLE 5 ADJUST FY 2023 OPERATING BUDGET**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2021, as voted at the May 3, 2022, Annual Town Meeting warrant or take any action thereon.

PROPOSED MOTION

*Move that the Town raise and appropriate an additional \$151,332 to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2022, as voted at the May 3, 2022, Annual Town Meeting appropriation as amended below, and further, to transfer the sum of \$341,658 from the Leicester Public School budget to Dept 950, the Town/School shared services budget, said budget which was previously titled the Becker Operations budget;*

Sources	Reason	Amount
Raise and Appropriate	Increased overall receipts/reduced assessments	151,332
<b>Total</b>		<b>151,332</b>

Town of Leicester  
Fall Special Town Meeting – October 18, 2022

DEPT #	DEPARTMENT NAME	FY 2022 Budget	FY2023 Spring Town Meeting Budget	FY2023 Fall Town Meeting Budget	\$ Change	% Change
111	LEGAL					
	TOTAL	80,798	72,045	82,151	10,106	14.02%
114	MODERATOR					
	TOTAL	151	151	151	0	0%
122	SELECT BOARD					
	TOTAL	306,431	314,282	373,053	58,771	18.70%
130	RESERVE FUND					
	TOTAL	50,000	50,000	50,000	0	0%
131	ADVISORY BOARD					
	TOTAL	1,325	1,325	1,325	0	0%
135	ACCOUNTANT					
	TOTAL	146,149	157,479	160,746	3,267	2.07%
141	ASSESSORS					
	TOTAL	134,613	132,457	132,457	0	0%
145	TREASURER/COLLECTOR					
	TOTAL	182,870	173,744	\$173,744	0	0%
147	TAX TITLE					
	TOTAL	0	0	0	0	0%
152	PERSONNEL BD					
	TOTAL	275	275	275	0	0%
155	IT					
	TOTAL	184,060	189,060	206,060	17,000	8.99%
161	TOWN CLERK					
	TOTAL	126,018	139,239	139,239	0	0%
162	ELECTIONS & REGISTRATIONS					
	TOTAL	36,500	41,700	41,700	0	0%
180	DEVELOPMENT & INSPECTIONAL SERVICES					
	TOTAL	267,083	268,589	268,589	0	0%
192	TOWN OWNED BLDG MAINT					
	TOTAL	48,281	48,281	56,081	7,800	16.15%
197	TOWN HALL BLDG MAINTENANCE					
	TOTAL	86,909	86,909	86,909	0	0%
198	TOWN HALL TELEPHONES					
	TOTAL	6,400	6,400	6,400	0	0%
199	OTHER - GENERAL GOV					
	TOTAL	58,564	33,100	33,100	0	0%

Town of Leicester  
Fall Special Town Meeting – October 18, 2022

DEPT #	DEPARTMENT NAME	FY 2022 Budget	FY2023 Spring Town Meeting Budget	FY2023 Fall Town Meeting Budget Revisions	\$ Change	% Change
210	POLICE DEPT					
	TOTAL	2,271,573	2,362,250	2,362,250	0	0%
220	FIRE DEPT					
	TOTAL	390,434	365,963	365,963	0	0%
231	AMBULANCE					
	TOTAL	584,736	Enterprise	Enterprise	0	0%
232	EMERGENCY MANAGEMENT					
	TOTAL	4,889	4,967	6,467	1,500	30.19%
241	CODE DEPT					
	TOTAL	74,007	128,667	128,667	0	0%
292	ANIMAL CONTROL					
	TOTAL	34,444	34,954	34,954	0	0%
296	INSECT PEST CONTROL					
	TOTAL	7,850	7,850	7,850	0	0%
310	LEICESTER PUBLIC SCHOOLS					
	TOTAL	17,582,550	17,839,070	17,497,412	-341,658	-1.91%
420	HIGHWAY DEPT					
	TOTAL	1,019,546	1,041,814	1,041,814	0	0%
423	SNOW & ICE					
	TOTAL	121,000	121,000	121,000	0	0%
424	STREETLIGHTS					
	TOTAL	58,000	35,000	35,000	0	0%
541	COUNCIL ON AGING					
	TOTAL	107,239	109,342	109,342	0	0%
543	VETERANS SERVICES					
	TOTAL	126,748	108,336	108,336	0	0%
545	VETERANS GRAVES REG					
	TOTAL	2,400	2,400	2,400	0	0%
610	PUBLIC LIBRARY					
	TOTAL	231,071	239,386	239,836	0	0%
630	PARKS & RECREATION					
	TOTAL	6,450	6,450	6,450	0	0%
691	HISTORICAL COMM					
	TOTAL	950	950	950	0	0%

Town of Leicester  
Fall Special Town Meeting – October 18, 2022

DEPT #	DEPARTMENT NAME	FY2022 Budget	FY 2023 Spring Town Meeting Budget	FY 2023 Fall Town Meeting Budget Revisions	\$ Change	% Change
692	MEMORIAL DAY COMM					
	TOTAL	3,000	3,000	3,000	0	0%
710	MATURING DEBT PRINCIPAL					
	TOTAL	1,026,117	1,218,733	1,218,733	0	0%
751	MATURING DEBT INTEREST					
	TOTAL	331,047	293,828	293,828	0	0%
752	TEMPORARY LOAN INTEREST					
	TOTAL	22,665	216,700	216,700	0	0%
753	BOND ISSUE					
	TOTAL	1,100	1,100	1,100	0	0%
911	WORC REG RETIREMENT					
	TOTAL	1,556,343	1,717,353	1,717,353	0	0%
912	WORKER COMPENSATION					
	TOTAL	191,185	219,863	219,863	0	0%
913	UNEMPLOYMENT COMP					
	TOTAL	141,650	142,000	142,000	0	0%
914	EMPLOYEE BENEFITS					
	TOTAL	2,959,175	3,117,782	3,117,782	0	0%
945	BONDING & INSURANCE					
	TOTAL	249,263	299,116	299,116	0	0%
950	TOWN/SCHOOL SHARED MAINTENANCE & OPERATING EXPENSES					
	TOTAL	0	20,000	414,546	394,546	1972.73%
<b>Grand Total</b>		<b>30,821,859</b>	<b>31,372,910</b>	<b>31,524,242</b>	<b>151,332</b>	<b>0.048%</b>

DESCRIPTION

This article adjusts the FY2023 budget. The revenues which make up the annual budget come from six categories: taxation, state aid, local receipts, free cash, other available funds, and changes to assessments/offset receipts. These revenues are not finalized until August of each year. However, the budget is assembled in



February using conservative forecasted revenue assumptions. When final estimated revenue numbers come in, funds are either apportioned to or removed from departments at the following Fall Town Meeting.

The revenue changes in this article come from the following sources:

Revenue	Annual Town Meeting Projected	Special Town Meeting Projected	Change
Property Tax	\$18,290,254	\$18,314,406	\$24,152
State Aid	\$12,568,216	\$12,620,767	\$52,551
Local Receipts	\$2,501,000	\$2,471,000	-\$30,000
Free Cash	\$316,667	\$316,667	\$0
Other Available Funds*	\$692,438	\$1,054,497	\$362,059
<b>Subtotal</b>	<b>\$34,368,375</b>	<b>\$34,777,337</b>	<b>\$408,762</b>
Less: Vocational School Tuition	-\$1,023,000	-\$1,023,000	\$0
Less: Other Town Meeting Articles**	-\$736,843	-\$973,255	-\$236,412
Less: State Assessments	-\$1,235,621	-\$1,256,840	-\$21,219
<b>Total</b>	<b>\$31,372,910</b>	<b>\$31,524,242</b>	<b>\$151,332 (rounded)</b>

\*Other available funds are comprised of Ambulance enterprise projected earnings (\$893,850), Bond premium on the Becker project, which reduces the debt exclusion (\$120,647), and administrative fees collected through a public health grant.

\*\*Other Town meeting articles relates solely to funds either raised or appropriated (Not free cash, or interdepartmental transfers). They are comprised the CMRPC appropriation from STM (\$3,301), and the ambulance enterprise fund, which totals \$969,954.

The FY 2023 budget adjustments total \$151,332. The explanations for budget increases via raise and appropriation are listed below:

Department	Reason	Amount
Legal	There is litigation for a Civil Service case, an MCAD case, and a few Planning issues that were not anticipated in the original budget.	\$10,106
Select Board & Town Administrator	Funds sought to hire a grant writer. This position will be used to write and report on grant funds for municipal programs.	\$58,771
Town Accountant	Budget increase sought to change the Town Accountant's salary budget from a salary plus stipend for working in Spencer under a municipal agreement to migrating back to full time in Leicester on the salary schedule.	\$3,267
IT	Budget increase requested to pay for unanticipated field scheduling software expense, a copier lease, and two new computer workstations. (\$6,000); a \$6,000 charge for software not covered in the \$550,000 grant the Town received for tri-band portables for Police, Fire and EMS and a \$5,000 charge for Nearmap	\$17,000

	assessing software that allows for additional documentation of accessory structures.	
Town Owned Buildings	Repairs to Community Field building	\$7,800
Emergency Management	Funds sought to cover Cert Team training and outfitting	\$1,500
Town/School shared Maintenance and operating expenses	Funds sought to hire a full-time maintenance worker for all town/school buildings pursuant to the recently agreed to Municipal takeover of all building maintenance throughout the Town.	\$52,888
<b>Total</b>		<b>\$151,332</b>

Passage of this article will also result in a transfer from the School budget to the Town/School Shared Maintenance and Operations Expenses budget (See below) This transfer represents the movement of all budgeted school maintenance funds, including that of the School Facilities Manager, who will become a Town employee. There is a signed agreement between the Select Board and School Committee, which outlines the responsibilities of each party under this agreement.

<b>From</b>	<b>To</b>	<b>Amount</b>
School Budget	Town/School Shared Maintenance & Operating Expenses	\$341,658
<b>Total</b>		<b>\$341,658</b>

Effective after the vote of Town Meeting, maintenance for all Town properties, including all schools, will become the sole responsibility of the Select Board. The School Department will continue to be responsible for custodial services and utilities of facilities that they use.

ADVISORY COMMITTEE RECOMMENDATION - Favorable Action (7-0-0)

SELECT BOARD RECOMMENDATION - Favorable Action (4-1-0)

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

**ARTICLE 6 POLICE CRUISERS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase and equip two (2) police vehicles or take any action thereon.

PROPOSED MOTION

*I move the Town vote to transfer \$114,910 from Free Cash to purchase and equip two (2) police vehicles.*

ADVISORY COMMITTEE RECOMMENDATION - Favorable Action (4-3-0) While all members of the committee feel it is imperative to maintain fully functional emergency response assets, the dissenting members feel it would be financially responsible to extend the mileage requirement to at least 100,000 miles prior to reallocation within the town's fleet of vehicles. As such, the recommendation is made to transfer the vehicle with 103,000 miles, to the town fleet, while retaining the vehicle with 66,000 for another year. If the town wants to buy 2 vehicles one should be allocated to the fire department as they currently have all hand me down vehicles with over 100K miles, In addition, dissenting members did not support buying a vehicle for administration when there is no Lieutenant named to drive it and there appears to be no plans for such. Replace the vehicle with 103K miles and make the replacement a front line vehicle, keep using the vehicle with 66K miles for another year; move this vehicle to administrative repurpose to another town

department. Additionally, since these vehicles are purchased with the intent to serve the town's fleet, beyond Police service, purchases should be considered as part of the capital improvement plan.

SELECT BOARD RECOMMENDATION - Favorable Action (4-1-0)

DESCRIPTION

The Police Department utilizes a fleet of ten (10) vehicles to meet the law enforcement needs of the residents of Leicester. This fleet of vehicles includes five (5) frontline marked police cruisers that are used daily. The Town has been following a fleet replacement schedule that includes the replacement of one to two cruisers annually to ensure the full use and reliability of the fleet.

This article seeks funding for one new marked cruiser at \$62,000, which will replace a Ford sedan with 66,000 miles which will be repurposed for use by the Town Assessor. This will allow the Town to surplus a 2012 Ford sedan, another former police vehicle, currently being used for inspections that has outlived its useful life.

The second vehicle sought by Police Department will replace a Ford SUV that has 103,000 miles with an unmarked hybrid administrative cruiser at \$52,910. This SUV will be sent to the Fire Department, where it will replace a 2014 Ford SUV with 120,000 miles.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

**ARTICLE 7 FUNDING OPERATIONAL COSTS OF THE NEW LEICESTER HIGH SCHOOL CAMPUS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund operational costs for the new Leicester High School campus and associated properties or take any action thereon.

PROPOSED MOTION

*I move the Town transfer \$450,000 from Free Cash to fund operational costs of the new Leicester High School campus and associated properties.*

ADVISORY COMMITTEE RECOMMENDATION - Favorable Action (6-1-0)

SELECTBOARD RECOMMENDATION - Favorable Action (5-0-0)

DESCRIPTION

This article seeks funding for the costs to operate the new High School campus, including utilities for buildings not in use by the School Department, insurance, buildings and grounds maintenance, snow removal and security. Funding via is Free Cash requested until properties considered to be surplus can be repurposed and other options can be determined for ongoing funding.

The Town has spent \$714,651.17 in maintenance and operational costs for the campus from January 1 through September 15. See table below, which shows bill data through September 15, followed by an estimate for the remaining months.

Category	Cost through September 15	Forecast September 15 through Dec 31	Total Forecast Annual Cost
Utilities	\$258,499.01	\$90,474.65	\$348,973.66
Security	\$57,756.90	\$8,663.54	\$66,420.44
Other	\$93,106.06	\$23,276.52	\$116,382.58

Repairs	\$118,240.80	\$35,472.24	\$153,713.04
Grounds	\$63,414.50	\$22,195.08	\$85,609.58
Insurance	\$123,633.90	0	\$123,633.90
Totals	\$714,651.17	\$180,082.02	\$894,733.19

If this vote is passed the Town would have allocated a total of \$1,150,000 in Free Cash since voting to acquire the campus. If this estimate holds, the Town will have \$255,266.81 to maintain and run the campus from January through May of 2023, at which time, another transfer will be necessary.

VOTE REQUIRED FOR PASSAGE - Requires a simple majority vote per M.G.L. c. 40, § 5.

**ARTICLE 8 FY 2023 CABLE PEG ACCESS ENTERPRISE ACCOUNT APPROPRIATION**

To see if the Town will vote to appropriate a sum of moneys to fund the FY 2023 expenses of the Cable Access Enterprise Fund, as established by the vote under Article 5 of the May 1, 2018, Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 3/4, said appropriation to be funded by fees received pursuant to the Town’s cable licensing agreement, or act on anything relating thereon.

PROPOSED MOTION

*I move that the Town vote to appropriate up to \$103,000 and transfer the sum of \$330,000 in retained earnings of the FY 2022 Cable PEG Access Enterprise Account to fund the FY 2023 expenses of the Cable Access Enterprise Fund, which was established by the vote under Article 5 of the May 1, 2018 Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 3/4, said appropriation to be funded by funds available in the Cable PEG Access Enterprise Fund pursuant to the Town’s cable licensing agreement.*

ADVISORY COMMITTEE RECOMMENDATION - Favorable Action (7-0-0)

SELECTBOARD RECOMMENDATION - Favorable Action (5-0-0)

DESCRIPTION

The Department of Revenue requires the Town to budget for the funds received through Charter for Cable PEG Access operations. While these funds are exclusively for Cable Access operations, it must be approved by the voters annually at Town Meeting. There was no budget article at the Spring Town Meeting, so this article both raises and transfers funding from retained earnings to give LCAC access to all available funding in the account.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. c. 44, §53 f3/4.

**ARTICLE 9 FY 2023 EMS (AMBULANCE) ENTERPRISE ACCOUNT APPROPRIATION**

To see if the Town will vote to appropriate a sum of monies to fund additional expenses of FY 2023 expenses of the EMS (Ambulance) Enterprise Fund, as established by the vote under Article 8 of the May 3, 2022, Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F 1/2, said appropriation to be funded from ambulance receipts, charges, and other income as well as an appropriation from the general fund, or act on anything relating thereon.

PROPOSED MOTION

*I move that the Town vote to appropriate from the ambulance enterprise fund up to \$236,412 to fund potential increased FY 2023 expenses of the EMS (Ambulance) Fund, which was established by the*

*vote under Article 8 of the May 3, 2022, Annual Town Meeting, pursuant to M.G.L. c. 44, § 53F 1/2, said appropriation to be apportioned and funded for FY 2023 as follows:*

*\$657,438 to be appropriated from the EMS (Ambulance) Enterprise fund (Spring Annual Town Meeting)*

*\$76,104 to be appropriated from the general fund (Spring Annual Town Meeting)*

*\$236,412 to be appropriated from the EMS (Ambulance) Enterprise fund (Fall Special Town Meeting)*

*\$969,954 total budget*

ADVISORY COMMITTEE RECOMMENDATION – Favorable Action (7-0-0) Unanimous support of this article was provided due to the expectation of a future return on investment, as outlined by Interim EMS Director Kelley's proposal and historic data. The recoupment of funds has already proven to be successful.

SELECTBOARD RECOMMENDATION - Favorable Action (4-1-0)

DESCRIPTION

Increase to the EMS budget sought to cover new Non-Emergent Inter-Facility transport agreement with Vibra Hospital/the Meadows. Projections based on current data indicate the Town should collect approximately \$1,100,000 in receipts for FY 2023. If this article is passed, the budget for FY 2023 will be based on collection of \$893,850 in ambulance receipts, and a general fund subsidy of \$76,104, for a total of \$969,954. This would result in excess collections of \$130,046. It is anticipated that should collections come in as anticipated, the Town will eliminate the general fund subsidy in FY 2024, and eventually begin charging general fund reimbursement charges to the fund.

The other benefit to increasing this budget is have additional staff available for times when there are multiple medical calls at once, reducing mutual aid losses and increasing services to residents.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. c. 44, § 53F ½.

**ARTICLE 10 FY 2023 CAPITAL IMPROVEMENT PLAN**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the following Capital Improvement Plan items.

PROPOSED MOTION

*I move the Town transfer the following amounts from Free Cash to fund the following capital items:*

<b>Project</b>	<b>Description</b>	<b>Amount</b>
Security Cameras	Cameras to be installed at the Highway Garage, Burncoat Park, Rochdale Park, the Recycling Center, Towtaid Park, Tarentino Park, and Bark Park, with a server installed at the Police Station.	\$100,000
Fire Hydrant Repair	Funds requested for repair of 18 out of service fire hydrants. There has been \$5,000 per year for hydrant maintenance in the Fire Department budget.	\$65,000

Fire/EMS (minimum type 3) ballistic vests and helmets	Funds requested to purchase 16 vests to outfit Fire/EMS vehicles	\$15,000
Fire Station #2	Replacement Boiler – The oil tank in Station #2 has failed. Propane is a cleaner and more efficient source of heat.	\$15,000
<b>Total</b>		<b>\$195,000</b>

CAPTIAL COMMITTEE RECOMMENDATION – Favorable Action - Cameras (5-1-0), Fire Hydrant Repair & Fire/EMS Safety Vests (6-0-0), Fire Station #2 Replacement Boiler (5-0-1)

ADVISORY COMMITTEE RECOMMENDATION – Cameras: Unfavorable action (6-1-0), Fire Hydrant Repair Favorable Action (7-0-0) Fire/EMS ballistics vests & helmets (7-0-0), Fire Station #2 Replacement Boiler (7-0-0).

Dissenting members, while generally supportive of installation of security cameras, request a more indepth plan regarding the cost of installation such as infrastructure requirements, the necessity and cost of emplacement of structures to accommodate cameras, the cost associated with installation of electricity to the location, the cost associated with the electrical requirement of the cameras, and future costs associated with maintenance and possible replacement.

SELECT BOARD RECOMMENDATION - Favorable Action (5-0-0)

DESCRIPTION

These four transfers are requested as interim funding items to the Capital Plan. The first three address the public safety items. The final transfer request is a boiler replacement, with a conversion to propane for Station #2.

**Please note that the Select Board voted to recommend the first three items at its September 19, 2022 meeting. The replacement boiler was added after that meeting. The Board will vote its recommendation on that item at a future Board meeting and report it at Town Meeting.**

The Capital Committee will assemble its FY2024 recommendations for the Spring Annual Town Meeting.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G. L. c. 40, §5

**ARTICLE 11 GROUNDWATER STUDIES AT LANDFILL**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund groundwater and other studies at the former landfill site, said funds to be expended by the Select Board, or take any action thereon.

PROPOSED MOTION

*I move the Town vote to transfer \$21,400 from Free Cash to fund groundwater and other studies at the former landfill site, said funds to be expended by the Select Board.*

ADVISORY COMMITTEE RECOMMENDATION – Favorable Action (7-0-0)

SELECTBOARD RECOMMENDATION - Favorable Action (5-0-0)

DESCRIPTION

The Town is obligated to comply with the Massachusetts Department of Environmental Protection's annual monitoring and testing requirements for the closed landfill. These tasks require routine sampling of groundwater from a series of wells, any required follow up or additional testing based upon the findings and routine readings of landfill gases being produced. The requested funds will fund these required activities through Fiscal Year 2023.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote per M.G.L. c. 40, § 5.

**ARTICLE 12 FUNDING IMPROVEMENTS AT TOWN PARKS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund improvements at town parks or take any action thereon.

PROPOSED MOTION

*Move the Town transfer \$25,000 from Free Cash to create a fund for improvements at the Leicester Parks, the application of said funding to be prioritized by the Select Board.*

ADVISORY COMMITTEE RECOMMENDATION - Favorable Action (6-0-1)

SELECTBOARD RECOMMENDATION - Favorable Action (5-0-0)

DESCRIPTION

This article is used to support improvements at Town Parks that are not included within the general fund budget. This includes extraordinary repairs, maintenance, tree trimming, etc.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote under M.G.L. c. 40, §5

**ARTICLE 13 REVOKE OCTOBER 16, 2018, ACCEPTANCE OF MASSACHUSETTS GENERAL LAWS CHAPTER 53, SECTION 18B (INFORMATION RELATING TO QUESTIONS ON TOWN BALLOT; CONTENTS; WRITTEN ARGUMENTS BY PROPONANTS AND OPPONENTS**

To see if the Town will vote to revoke the acceptance MGL Chapter 53, Section 18B, which was passed at the October 16, 2018, special town meeting, which requires information on town ballot questions to be addressed via written arguments from question proponents and opponents, be vetted by Town Counsel, and made available to the voters of the Town.

PROPOSED MOTION

*Move that the article be accepted as written.*

ADVISORY BOARD RECOMMENDATION - Favorable Action (7-0-0) Members unanimously support the revocation of the October 16, 2018 decision to accept MGL Ch 53, §18B. The law is cost prohibitive and difficult to administer. It must be used for all ballot questions, would require forming two additional committees (pro and a con committees), and if their opinions are not provided, they must be provided by town counsel. We feel this would put an unfair advantage to the opinion written by the legal professional as opposed to those written by the layperson. Additionally, with the availability of electronic media, the public has access to up to date information regarding the item at issue on the ballot.

SELECTBOARD RECOMMENDATION - Favorable action (5-0-0)

DESCRIPTION: MGL 53, Section 18 mandates the following of any ballot question:

- When the Select Board determines that a ballot question is to be brought forward, notice must be provided to Town Council within one day of the determination.
- In determining the principal proponents and opponents of the ballot question, Counsel must contact the “ballot question committee” if any. A letter seeking written arguments from proponents and opponents must be sent no later than seven (7) days after the determination is made by the Select Board that the question will be on the ballot.
- A ballot question committee is defined as a political committee which receives or expends money or other things of value for the purpose of favoring or opposing the adoption or rejection of a specific question or questions submitted to the voters.
- If there is no such committee, Town Council must furnish the “pro” and “con” arguments for the mailer
- The solicitation of arguments has to allow at least 7 days for arguments to be submitted.
- Arguments must be received at least twenty (20) days before the election.
- The whole package must be mailed to all registered voters at least 7 days before the election.

This repeal failed at the October 26, 2021, and May 3, 2022, Town Meetings. Normally, the Town is not allowed to put out any mailers or other information regarding any ballot question. The goal of the law was to better inform the public. It has numerous deadlines, which if accidentally missed, can invalidate the entire ballot question. It requires a mailing be sent to every registered voter in the Town.

The steps annotated above were not followed during the purchase process of the former Becker campus, as such use was believed to be optional at the time, and the Town had a short window of time to commit to the purchase. The overwhelming affirmative vote to purchase the property was almost invalidated because of the omission. Special legislation had to be crafted and rushed through the House, Senate, and Governor’s Office in order to obtain approval to allow the acquisition to move forward.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority per M.G.L. c. 53, § 18B

**ARTICLE 14 AMEND THE REVOLVING FUND BYLAW**

To see if the Town will vote to amend the revolving fund bylaw, as listed in the Town Meeting warrant, or take any action thereon.

PROPOSED MOTION  
***UPDATED: PASSEVER***

***I move the Town vote to amend the Town’s revolving fund bylaw, as follows:***

To amend Columns A and C of the Former Becker Property Revolving Fund, with the annual fund retention limit set at \$500,000.00, as follows:

A RevolvingFund	B Department, Board, Committee, Agency or OfficerAuthorized to Spend from Fund	C Fees, Charges or Other Receipts Credited to Fund	D Program or Activity Expenses Payable fromFund	E Restrictions or Conditions on Expenses Payable from Fund	F Other Requirements/ Reports	G Fiscal Years



Leicester Schools Campus Use	Select Board/Town Administrator	All fees' charges or other receipts collected from the use of the former campus property; and any other funds collected from programs or activities for the use of the property.	All costs associated with the operation of the former Becker property, including utilities, maintenance, repairs, groundskeeping, and any and all other associated costs	None	None	Fiscal Year 2022 and subsequent years
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ADVISORY COMMITTEE RECOMMENDATION - Favorable action (7-0-0)

SELECT BOARD RECOMMENDATION - Favorable action (5-0-0)

DESCRIPTION

This article requests amendments to the revolving fund bylaw for the following purposes to adjust of the language of the Former Becker Property Use fund. It is renamed, and allows all fees collected from uses and events at the former campus to be placed in the fund. However, language involving gifts or donations are removed, as they cannot be placed in a revolving fund according to M.G.L. c. 44, § 53E ½ (a gift account could be set up through M.G.L. c. 44, § 53A). Additionally, rental and lease payments are also removed, as MGL requires such payments treated as general fund revenue.

**It was discovered that this article did not go before the Bylaw Review Committee, as required by Town Bylaw. Therefore, this article is recommended for pass over until the Spring Annual Town Meeting.**

VOTE REQUIRED FOR PASSAGE - Requires a simple majority vote per M.G.L. c. 44, § 53E ½

**ARTICLE 15 AMEND THE PERSONNEL BYLAW IN RELATION TO THE PROBATIONARY PERIOD AND THE USE OF LEAVE**

To see if the Town will vote to amend the following sections of the personnel bylaw:

- Under Section 2, definitions under **“PROBATIONARY EMPLOYEE”**: “Any new employee whose tenure in the Town service has not exceeded 90 days...” **Change to 180 days**
- Under Section 2, definitions under **“PROBATIONARY EMPLOYEE”** – ...“If the performance is not acceptable, the reason or reasons will be stated. The original 90 probationary period may be extended with the written approval of the Town Administrator.” **Change to 180 days**
- Under Section 10 **“VACATION LEAVE”**, Section 10.1 **“ELIGIBILITY”** – Remove “Upon completion of the 180-day probationary period, full-time and part-time benefited employees as defined in this Bylaw shall be entitled to paid vacation in accordance with the following schedule...” and insert **“Full-time and part-time benefited employees as defined in this Bylaw shall be entitled to paid vacation in accordance with the following schedule...”**

PROPOSED MOTION

*Move that the article be accepted as written.*

ADVISORY COMMITTEE RECOMMENDATION Favorable Action (7-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

This article serves two purposes. The first two changes clarify the bylaw so that the 180-day probationary period is uniform throughout the bylaw. The final change allows probationary employees to use vacation time during the extended probationary period. This change allows newly hired employees with planned vacations to not be put at a disadvantage based on the time of the year that they were hired.

VOTE REQUIRED FOR PASSAGE - Requires a simple majority vote M.G.L. c. 40, § 21

**ARTICLE 16 AMEND THE ZONING BYLAW IN RELATION TO MARIJUANA TO MATCH CCC. REGULATIONS.**

To see if the Town will vote to amend Sections 1.3 (Definitions), and Section 3.2.03 of the Zoning Bylaws as annotated below:

Marijuana Establishments 7/29/2021

- A.** Amend Section 1.3 (Definitions), by inserting new definitions and amending existing definitions, as follows (new texts are underlined, text to be deleted is notated):

**MARIJUANA COURIER:** an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from a Medical Marijuana Treatment Center but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of marijuana or marijuana products to consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations.

**MARIJUANA DELIVERY LICENSEE:** either a Marijuana Courier or a Marijuana Delivery Operator that is authorized to deliver marijuana and marijuana products directly to consumers and as permitted, Marijuana Couriers to patients and caregivers

**MARIJUANA DELIVERY OPERATOR or:** an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations.

**MARIJUANA ESTABLISHMENT:** a licensed Marijuana Cultivator, Marijuana Testing Facility, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Transporter, Delivery Licensee or any other type of licensed marijuana-related business or businesses at a single location except a medical marijuana treatment center.

**MARIJUANA ESTABLISHMENT, NON-RETAIL:** a marijuana establishment that does not involve on-site retail sales to consumers, including Marijuana Cultivators, Marijuana Product Manufacturers that only sell to Marijuana Establishments but not consumers, Marijuana Testing Facilities, and Marijuana Transportation or Distribution Facilities. Not to include Marijuana Outdoor Cultivator. *[amended ATM 6/2/2020]*

**Remove - MARIJUANA RETAILER, CONSUMER SALES ONLY:** a marijuana establishment that involves on-site retail sales to consumers by Marijuana Courier, excluding Marijuana Social Consumption Operators.

**B.** Amend Section 3.2.03, by inserting new use #23 (and renumbering later uses), as follows:

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
<u>23.</u>	<u>Marijuana Delivery Operator</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>Y</u>

PROPOSED MOTION

*Move that the article be accepted as written.*

ADVISORY COMMITTEE RECOMMENDATION Favorable Action (7-0-0)

SELECT BOARD RECOMMENDATION - Favorable Action (5-0-0)

DESCRIPTION

These amendments, which define and zone marijuana delivery operators, are recommended based on comments made by the Attorney General’s Office regarding Article 16 of the October 26, 2021, Town Meeting, which became obsolete after the CCC updated its regulations regarding delivery operations on January 8, 2022. These recommended changes put the bylaw in harmony with the updated CCC definitions and regulations.

VOTE REQUIRED FOR PASSAGE Requires 2/3<sup>rd</sup>s majority vote M.G.L. c. 40A, § 5

**ARTICLE 17 STREET ACCEPTANCE – VIRGINIA DRIVE**

To see if the Town will vote to accept as a public way the street known as Virginia Drive as laid out by the Select Board and further authorize the Select Board, in the name and behalf of the Town, to acquire by gift, easements, and appurtenant rights in and for said ways for the purpose for which public ways are used in the Town, or take any other action relating thereto

PROPOSED MOTION

*Move that the article be accepted as written.*

ADVISORY COMMITTEE RECOMMENDATION – Favorable Action, based on a favorable action by the Street Conversion Committee. (7-0-0) Unanimous approval was received, with the caveat; pending approval by the street conversion committee.

SELECT BOARD RECOMMENDATION - Recommendation to be made at Town Meeting. (5-0-0)

DESCRIPTION

This article seeks to have a portion of Virginia Drive to be accepted as a public way, which will allow the Town to service it as such and qualify for additional Chapter 90 aid. The developer has made all the improvements required by the Street Acceptance Committee.

VOTE REQUIRED FOR PASSAGE Requires 2/3<sup>rd</sup>s majority vote under M.G.L. c. 40, §§ 4, 14.

**TOWN OF LEICESTER**  
**FALL TOWN MEETING**  
**October 18, 2022**

And you are hereby directed to serve this Annual Town Meeting Warrant by posting an attested copy in at least one public place in each precinct of the Town, on the Town Clerk's bulletin board, and on the bulletin board in the front entry of the Town Hall, and also by serving a copy of said Warrant to the Moderator and the Town Clerk, not less than fourteen (14) days before the 18th day of October 2022.

*Given under our hand and seal of the Town on this \_\_\_\_\_ day of \_\_\_\_\_ 2022*

Respectfully submitted, Leicester Select Board

\_\_\_\_\_  
Chair

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Date:** \_\_\_\_\_

Pursuant to above warrant, I have notified and warned the inhabitants of the Town of Leicester by posting a certified copy in the following precincts:

- Precinct 1. Leicester Post Office,
- Precinct 2. Redemption Center/Jan's Beer Mart,
- Precinct 3. Post Office in Rochdale,
- Precinct 4. Leicester Country Bank for Savings;

and on the Town Clerk's bulletin board, in the front entry of the Town Hall, with the Moderator, and with the Town Clerk, not less than fourteen (14) days before the 18<sup>th</sup> day of October 2022.

\_\_\_\_\_  
*Printed Name of Constable*

\_\_\_\_\_  
*Signature of Constable*

**COMMONWEALTH OF MASSACHUSETTS  
WILLIAM FRANCIS GALVIN  
SECRETARY OF THE COMMONWEALTH**

**WARRANT FOR 2022 STATE ELECTION**

**SS.**

To the Constables of the City/Town Of **LEICESTER, MASSACHUSETTS**

**GREETINGS:**

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

**Precinct One, Two, Three and Four**

**At 3 Washburn Square**

On **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

GOVERNOR and LIEUTENANT GOVERNOR.....	FOR THIS COMMONWEALTH
ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	SECOND DISTRICT
COUNCILLOR.....	SEVENTH DISTRICT
SENATOR IN GENERAL COURT.....	WORCESTER & HAMPSHIRE DISTRICT
REPRESENTATIVE IN GENERAL COURT.....	5 <sup>th</sup> , 7 <sup>th</sup> & 17 DISTRICT
DISTRICT ATTORNEY.....	MIDDLESEX DISTRICT
SHERIFF.....	WORCESTER COUNTY

**QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION**

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

**SUMMARY**

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

**A YES VOTE** would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A **NO VOTE** would make no change in the state Constitution relative to income tax.

## **QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

### **SUMMARY**

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

**A YES VOTE** would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

**A NO VOTE** would make no change in the law relative to the regulations that apply to dental insurance companies.

### **QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

#### **SUMMARY**

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for “all alcoholic beverages” and for “wines and malt beverages”) that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

**A YES VOTE** would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers’ out-of-state identification.



A **NO VOTE** would make no change in the laws governing the retail sale of alcoholic beverages.

#### **QUESTION 4: REFERENDUM ON AN EXISTING LAW**

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

#### **SUMMARY**

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A **YES VOTE** would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A **NO VOTE** would repeal this law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
(month)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SELECT BOARD of: LEICESTER, MASSACHUSETTS**

Pursuant to above warrant, I have notified and warned the inhabitants of the Town of Leicester by posting a certified Copy in the Rochdale Post Office, Redemption Center/Jan's Beer Mart, and the Leicester Country Bank for Savings, Leicester Post Office, on the Town Clerk's bulletin board, in the front entry of the Town Hall, and Town Clerk, and the Wardens of each precinct not less than seven days before the 8<sup>th</sup> Eighth day of November 2022.

\_\_\_\_\_, 2022.  
Constable (month and day)

Warrant must be posted by **November 1, 2022** (at least *seven days prior* to the **November 8, 2022** State Election).



FP-002A  
(Rev. 1.2018)

The Commonwealth of Massachusetts  
City/Town of Leicester

**Application For License**

Massachusetts General Law, Chapter 148 §13

New License     Amended License

GIS Coordinates
_____
LAT.
_____
LONG.
_____
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 0, 90 & 92 Huntoon Memorial Highway, Leicester, MA 44 A4.10; 44 A6 0; & 44 A5 0  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: BP Leicester Fee Owner LLC

Address of Land Owner: Braintree, Ma. 02184

Use and Occupancy of Buildings and Structures: Warehouse, Distribution, Manufacturing

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments  
N/A

Attach a copy of the current license

**Flammable and Combustible Liquids, Flammable Gases and Solids**

*Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.*

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums

Total quantity of all flammable liquids to be stored: \_\_\_\_\_  
Total quantity of all combustible liquids to be stored: \_\_\_\_\_  
Total quantity of all flammable gases to be stored: \_\_\_\_\_  
Total quantity of all flammable solids to be stored: \_\_\_\_\_

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 6,000 gallons  
List sizes and capacities of all aboveground containers used for storage: Six (6) 1,000 Gallon Tanks

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A  
List sizes and capacities of all underground containers used for storage: N/A

Total aggregate quantity of all LP-gas to be stored: N/A

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: N/A Type/class of magazine used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4G: N/A Type/class of magazine used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4: N/A Type/class of magazine used for storage: N/A

Total aggregate quantity of all classes of fireworks to be stored: N/A

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.2: N/A Number of magazines used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.3: N/A Number of magazines used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4: N/A Number of magazines used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.5: N/A Number of magazines used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.6: N/A Number of magazines used for storage: N/A

I, Peter Mahoney, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Peter Mahoney Date 9/12/22 Name Peter Mahoney

**Fire Department Use Only**

I, MICHAEL R. DUPUIS, Head of the LEICESTER Fire Department endorse this application with my

Approval  Disapproval

[Signature] Date 10/12/2022  
Signature of Head of the Fire Department

Recommendations: INSPECTION WILL BE DONE AFTER INSTALLATION

**Huntoon Meadows, LLC**  
PO Box 333  
Thompsonville, New York 12784  
845-794-6226

October 6, 2022

Town of Leicester  
3 Washburn Square  
Leicester, Massachusetts 01524

**RE: ABUTTER NOTIFICATION LETTER**

Dear Sir / Madam:

I'm in receipt of the letter of notice for the installation of propane tanks at the property of:

BP Leicester Fee Owner, LLC  
0, 90 & 92 Huntoon Memorial Highway

We have zero objections for their proposed plans.

Truly,

**HUNTOON MEADOWS, LLC**

*Mike Taylor*

Michael Taylor, managing partner



**EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT**  
JOHN W. McCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES  
UNIVERSITY OF MASSACHUSETTS BOSTON

100 Morrissey Boulevard  
Boston, MA 02125-3393  
P: 617.287.4824  
F: 617.287.5566  
[mccormack.umb.edu/centers/cpm](http://mccormack.umb.edu/centers/cpm)  
[collins.center@umb.edu](mailto:collins.center@umb.edu)

David Genereux  
Town Administrator  
Town of Leicester  
3 Washburn Square  
Leicester, MA 01524

October 11, 2022

Dear Mr. Genereux,

The Edward J. Collins, Jr. Center for Public Management is pleased to present this proposal to the Town of Leicester for the development of an Accessibility Self-Evaluation and Transition Plan to assist the Town in meeting its obligations under the Americans with Disabilities Act (ADA).

The Center was established in 2008 in the McCormack Graduate School of Policy and Global Studies to further the public service mission of the University of Massachusetts Boston. The Center provides technical assistance to municipalities, school districts, regional governments, and state agencies on all aspects of public management.

The Center is a Massachusetts state government entity. Consequently, the laws of the Commonwealth do not require the City and the University to engage in a statutory procurement process before executing a contract.

Please review the proposal that follows, and let us know if you have any questions. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Ward'.

Michael Ward  
Director  
Edward J. Collins, Jr. Center for Public Management  
McCormack Graduate School of Policy and Global Studies  
UMass Boston

# PROPOSAL TO PERFORM AN ACCESSIBILITY SELF-EVALUATION AND DEVELOP A TRANSITION PLAN FOR THE TOWN OF LEICESTER

## **1. Overview**

The Town seeks assistance from the Collins Center to update their existing Self-Assessment and Transition Plan as required under the Americans with Disabilities Act of 1990 (ADA) and to ensure compliance with 521 CMR, The Rules and Regulations of the Massachusetts Architectural Access Board.

## **2. Proposed Workplan**

This proposal includes the following deliverables:

1. Draft Self-Evaluation Report
2. Facilities Audit Report
3. Final Self-Evaluation and Transition Plan (SETP) Document

To complete the noted deliverables, the project team proposes the following workplan:

### **Task 1 – Project Kickoff and Initial Data Collection**

1. Hold kick-off meeting with the Town Administrator and Management Team.
2. Distribute program assessment worksheets and review program assessment process.
3. Collect Town policy and procedure documents.
4. Collect detailed records for facilities to be inventoried (property descriptions, basic floorplans, gross floor area, dates of construction/renovations, etc....)
5. Collect inventory of Town programs and services.
6. Develop and deploy public survey to gather data about experiences with programmatic and physical barriers at Town-owned and maintained property.
7. Establish criteria for and role of Town's primary working group, which will be tasked with significant participation in the development of the final transition plan.

*Also note that surveys will not be performed on public rights-of-way except where they provide a component of the immediate accessible route for survey facilities. Public rights-of-way will be addressed from a programmatic standpoint only.*

### **Task 2 – Onsite Facility Audits**

Center staff will conduct audits for compliance with 2004 ADAAG design standards and 521 CMR building codes. Audit results will be documented in a photo-captioned report, by facility, noting location, deficiency and applicable design standard. Where appropriate, recommendations for readily achievable barrier removal will be provided. Audits will be sufficiently detailed to inform the transition plan, but in an effort to contain costs, may not examine each element within a particular space if major fundamental deficiencies are noted (e.g., if a bathroom stall is so significantly undersized to the extent that compliance is impossible, the Team will not spend time measuring elements within the stall).

The following facilities are included (subject to preliminary review of applicability of 521 CMR and/or ADA jurisdiction):

1. Town Hall
2. Highway Department
3. Fire Station/Cherry Valley
4. Fire Station/Rochdale
5. Public Library
6. Police Station
7. Recycling Center
8. Senior center
9. Leicester Primary School
10. Leicester Memorial School
11. Leicester Middle School
12. Leicester High School
13. Leicester High School (formerly Becker College)  
Turf Field
14. Rochdale Park
15. Burncoat Park
16. Lions Park
17. Town Common
18. Community Field
19. Towtaid Park
20. Beach Area
21. St. Joseph's Cemetery
22. Swan Historical Museum

During the kickoff meeting, and in subsequent follow-up meetings, the Team will work with Town staff to determine which of the above facilities, or portions thereof, are open and available to the public and the relationship between programmatic aspects and the physical facility as well as exemptions due to historical status. As a result, all facilities above (or portions thereof) may not be audited.

### **Task 3 – Program Accessibility Review & Draft Self-Evaluation Report**

The Center Team will conduct, in collaboration with Town staff, a thorough review of the accessibility of Town programs and services and develop a report of findings and recommendations. This will include:

1. Development and submittal of draft report to include:
  - a. Regulatory summary and discussion
  - b. Review of self-evaluation process
  - c. Inventory of departments, facilities, programs and services
  - d. Programmatic barriers to accessibility and recommendations for mitigation
  - e. Summary of public survey responses
  - f. Draft facilities audit report (as an appendix)
2. Review and revision of draft report.

### **Task 4 – Development of Transition Plan**

It is the intent of the Center Team to work collaboratively with the Town's working group (described in Task 1) to develop the Transition Plan, with the working group taking the significant role in the selection,



prioritization and implementation schedule of programmatic and facilities, as well as the public input process. The Center’s role in Task 4 will largely be to serve in an advisory and facilitative role, and to memorialize the findings and preferences of the working group and public input process in the final document.

1. Develop, in collaboration with the working group, program accessibility standards for the Town.
2. Compile revised draft self-evaluation report incorporating comments and findings from Task 3.
3. Facilitate development of remedial corrective programmatic actions and facilities project scopes.
4. Assist in the public input process in collaboration with the working group.
5. Develop final report incorporating results of public input process and priorities of the Town.

The Center team will finalize and transmit the final document in electronic format to the Town Administrator. Any working documents including templates, data, inventories, etc. will be appended to the document.

The Town acknowledges that both the self-evaluation and transition plan documents will not be exhaustive in their scope or scale under this project. It is the intent of both parties that the final documents will include plans and priorities for further evaluation and review efforts by the Town, and that the objective of this project is to provide a sound and logical starting point to guide future efforts by the Town in their work to enhance accessibility for its residents and visitors.

### **3. Timeline**

Below is a proposed timeline for this project. Note that the start date and timeline are both flexible and may change depending on preferences of the Town and Commission.

<b>Event</b>	<b>1<sup>st</sup> Qtr.</b>	<b>2<sup>nd</sup> Qtr.</b>	<b>3<sup>rd</sup> Qtr.</b>	<b>4<sup>th</sup> Qtr.</b>
<b>Step 1: Hold kick-off meeting</b>	<b>X</b>			
<b>Step 2: Data gathering, preliminary investigation</b>	<b>X</b>	<b>X</b>		
<b>Step 4: Draft Self-Evaluation Document</b>		<b>X</b>		
<b>Step 5: Final SETP Document</b>			<b>X</b>	<b>X</b>

### **4. Fee for Services**

The Collins Center will provide the scope of services presented in this proposal for an all-inclusive fee of \$30,000. An initial invoice for \$15,000 will be sent after Task 2 and a final invoice for \$15,000 will be sent upon completion of the work.



# TOWN OF LEICESTER

*Nicholas George*  
*Treasurer Collector*  
3 Washburn Square  
Leicester, MA 01524  
GeorgeN@leicesterma.org

TELEPHONE: (508) 892-7002  
FAX: (508) 892-7070

10/12/2022

Re: Covid Time Usage

To: Town of Leicester Select Board

Please let this memo serve as a request to end Covid time usage for employees as of November 1<sup>st</sup>, 2022. With Covid being behind us for the most part, I believe employees should be responsible to use sick time for any time off due to Covid. Employees accrue sick time monthly and can use this time for the absence of any cold or flu symptoms that they experience. We have previously been allowing employees to use Covid time due to it being able to be reimbursed by the State, but that period has ended, and the Town is responsible for any absences.

Below, please find covid time that has been used by employees from January, 2022 thru September, 2022.

January – 766.25 hours amongst 20 employees  
February - 298 hours amongst 6 employees  
March – 0 hours  
April – 137 hours amongst 4 employees  
May – 40 hours amongst 1 employee  
June – 67 hours amongst 2 employees  
July – 9 hours amongst 1 employee  
August – 26 hours amongst 2 employees  
September – 61 hours amongst 2 employees

In total, 1,404.25 hours amongst 38 employees in the last 9 months.

Please let me know if there are any questions or concerns.

Sincerely,

Nicholas George  
Treasurer Collector