

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 While the Governor's COVID Order No. 31 has been rescinded, attendees are encouraged to take whatever precautions they feel necessary to feel comfortable attending Town Meeting.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 or amendment 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 tenth day of January 2023 at 7:00 PM, then and there to act on the following articles, namely:

One hundred fifteen (115) residents attended the meeting held on January 10, 2023, in the Town Hall Gymnasium, 3 Washburn Square, Leicester, MA 01524. At 7:03 p.m. Moderator Doug Belanger went over the Town Rules & Procedures. Assistant Town Administrator Chris Vitale explained the use of voting buttons and a test was run to ensure voting buttons were working properly.

The meeting was declared open by Mr. Belanger at 7:09 p.m. with the Pledge of Allegiance followed by a moment of silence. Past Moderator Don Cherry, Retired Town Clerk Deb Davis and Leicester's new State Senator Anne Gobi were recognized.

Motion made by Mr. Antanavica with a second received to dispense with the reading of the warrant. Motion passes unanimously.

Motion also made by Mr. Antanavica with a second received to dispense with hand count unless needed. Motion passes unanimously.

Due to an error found with the voting buttons a hand count using cards was necessary.

ARTICLE 1 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 relative thereto.

PROPOSED MOTION

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.

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

Motion made by Mr. Phillips, Sr. and second received. Motion passes via hand count with only Three (3) no votes.

ARTICLE 2 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
23.	<u>Marijuana Delivery Operator</u>	N	N	N	Y	SP	SP	SP	Y

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 2/3rds majority vote M.G.L. c. 40A, § 5

Motion made by Mr. Antanavica and a second was received. Motion passes via hand count with only One (1) opposed.

ARTICLE 3 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 action relative thereto.

PROPOSED MOTION

Passover

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (7-0-0)

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. An attachment of the roadway as-built plan can be viewed in Attachment 1 on the back of the Special Town Meeting Warrant.

UPDATE: Additional documentation is required to be submitted prior to holding a Road Acceptance Hearing, per Leicester's Road Acceptance Policy as revised 2/8/2010. It is anticipated that the article will be on the Spring Town Meeting warrant.

VOTE REQUIRED FOR PASSAGE Requires 2/3rds majority vote under M.G.L. c. 40, §§ 4, 14.

Motion made by Ms. Provencher and a second was received. Motion passes via hand count Unanimously.

ARTICLE 4 AMEND THE ZONING BYLAW IN RELATION TO THE ADAPTIVE REUSE OVERLAY DISTRICT

To see if the Town will vote to amend Section 5.10. of the Leicester Zoning Bylaws as annotated below (New text is underlines, text to be removed is notated, changes in capitalization are merely listed):

5.10. Adaptive Reuse Overlay District (AROD). [Amended ATM 5/5/2008 and ATM 6/2/2020]

A. The purpose of the Adaptive Reuse Overlay District (AROD) is to:

- (1) Provide specific regulations allowing for the reuse of municipal, religious, and historic buildings and mill buildings in a way that promotes public health, safety and welfare and is in keeping with the adjacent character of the neighborhood.
- (2) Provide regulatory flexibility and intensification of use in municipal, religious, and historic buildings and mill buildings to prevent disinvestment or deterioration of buildings that have become obsolete for their original purposes.
- (3) Allow for the reuse of municipal, religious, and historic buildings and mill buildings as a means to increase the town's overall tax base, create employment opportunities, and ensure efficient use of municipal services so as to not create a burden on these services.
- (4) Encourage the adaptive reuse of historic buildings where such reuse would more effectively promote, preserve, and enhance the architectural character of the surrounding neighborhood than would the redevelopment of the site following the demolition of these landmark structures.

B. Eligibility for Conversion

The following shall be eligible for conversion to those uses listed in Section D of this bylaw:

- (1) A municipal building located in any zoning district constructed more than sixty (60) years ago. **Remove** if it was used for not less than fifteen (15) years for municipal use.
- (2) Any existing structure having not less than 10,000 square feet constructed more than sixty (60) years ago and historically part of a mill complex.
- (3) Any existing structure used for one or more of the following religious uses for not less than fifteen (15) years for religious use: churches, convents, schools, rectories, and parish halls.
- (4) Any existing structure of not less than 5,000 gross square feet constructed more than sixty (60) years ago and located within Leicester's Architectural Conservation District.

C. Scope of Authority

The AROD is superimposed over all the underlying zoning districts in the Town. Except as specified in this Section 5.10, the provisions of the underlying zoning districts shall remain in effect. The regulations of this overlay district shall govern reuse, reconstruction or expansion of those buildings eligible for conversion as described in Subsection B above. The Special Permit Granting Authority for an Adaptive Reuse Development (ARD) under this section shall be the Planning Board. ARDs **Remove**: Adaptive Reuse Developments which utilize any of the provisions of this Section 5.10 relative to use, parking, and/or dimensional controls shall require a Special Permit from the Planning Board. Applicants for Special Permits under this section shall submit plans in compliance with the Leicester Planning Board Rules & Regulations for Special Permit Applications.

D. Uses Permitted

- (1) Uses allowed by -right

The following uses are **Remove**: be allowed by-right:

- a) Any uses permitted by- right in the underlying zoning district in which the structure is located.
- b) Conversion of former municipal buildings to private medical or professional offices.

(2) Uses allowed by Special Permit

The following uses are allowed by Special Permit and subject to Site Plan Review:

a) Senior Village Development residential uses, Adult Day Care Facilities **Remove:** Facilities, and Senior Village Community Centers as defined under Section 5.7.03

b) Multi-family

c) Professional or administrative offices

d) Community recreational center or personal training centers

e) Medical Clinic, Dental Office, Veterinarian Office, and Ancillary Offices and Facilities

f) Community center or conference center with meeting rooms

g) Studios for art, drama, speech, dance, or music

h) Retail

i) Indoor commercial recreation or health club

j) Research and Development uses including ancillary office use and electronic and computer laboratories, but not including ancillary manufacturing, assembly, sale or resale or storage for sale or resale of any goods, items, or material

k) Mixed-Use Development, Vertical Mix

l) Mixed-Use Development, Horizontal Mix

m) Brewery, Distillery, Winery

n) Brew Pub

o) Makerspace

Add: (p) Restaurant

Add: (q) Bed and Breakfast

(3) Multiple or Mixed Uses: Any combination of uses allowed by right in **Add:** Section D.(1), and uses allowed by Special Permit in **Add:** Section D.(2), may be allowed provided they are compatible with each other and maintain the public health, safety and welfare of the community.

(4) Uses required by MGL c400A, Section 3, such as public and private non-profit religious and educational institutions are allowed in the AROD by-right subject to Site Plan Review.

E. Parking Requirements

(1) For all new buildings and structures and for reuse or substantial restoration of existing buildings or structures within the AROD **Remove:** Adaptive Reuse Overlay District, the parking requirement of Section 5.1 of the Zoning Bylaw shall apply.

(2) The Planning Board shall be authorized to modify parking, loading requirements, dimensional requirements for off-street parking and loading areas; layout requirements and the number of required spaces in conjunction with the grant of a Special Permit pursuant to this Section 5.10. This provision shall only apply to uses in the AROD **Remove:** Adaptive Reuse Overlay District which are located in buildings or structures in existence as of the date of the adoption of this Section of the Leicester Zoning Bylaw. In determining the appropriate reduction, the Planning Board may give consideration to the hours of operation and/or usage of the proposed uses within the development, the opinions of merchants, residents and municipal officials as to the adequacy or inadequacy of parking spaces within the surrounding area, as well as other relevant information. The decrease in number of required spaces shall not create undue congestion, traffic hazards, or a substantial detriment to the neighborhood, and shall not derogate the intent and purpose of this bBylaw.

F. Dimensional and Other Requirements

(1) The Planning Board, by Special Permit, shall have the authority to waive or modify dimensional controls set forth in Section 4 of the Zoning Bylaw.

(2) The Site Development Standards for the underlying district are applicable. Where the underlying district does not have Site Development Standards, the standards for the Business (B) District shall apply. The Planning Board, through the ARD Special Permit, may allow for modifications of Site Development Standards where not feasible due to existing site constraints.

(3) For multi-family projects, the maximum number of dwelling units shall be established by the Planning Board after reviewing the following criteria:

- a) Existing structures
- b) Proposed method and efficacy of stormwater disposal
- c) Availability of water and sewer
- d) Trip generation, traffic safety and internal site traffic
- e) Character of the proposed ARDP and its relation to the surrounding neighborhood(s)
- f) Character of the existing buildings and the potential for reuse thereof
- g) Applicability of the Water Resource Protection Overlay District

h) Reports of the technical consultants of the Planning Board and all other reviewing boards

(4) Existing Buildings may be expanded provided that such expansion is consistent with the building's historic character and scale and does not cause substantial detriment. Additions shall only be constructed on the side and/or rear of any historic building.

(5) New Buildings may be constructed on the ARD site provided that the number, type, scale, architectural scale, and uses within such new buildings shall be subject to Planning Board approval. For all new structures or buildings, the dimensional requirements of the underlying zoning district shall apply and, if applicable, to the extent that the dimensional requirements vary depending **Remove:** dependent upon the use of the building, the pre- dominant use based upon gross floor area utilized shall govern.

(6) All proposed signs shall comply with Section 3.2.07 of the Zoning Bylaw, except that if the building and land on which situated are located in a single family district (SA, R1, R2), the Planning Board may permit a sign of no larger than 10 square feet which identifies only the building and its occupants.

(7) Proposed projects are encouraged to provide shared parking, bicycle and pedestrian accommodations, Low Impact Development and Best Management Practices as it pertains to Stormwater Management, consolidation of curbs cuts and driveways, and pervious surfaces/green space as much as may be practicable while also retaining the historic character of the site.

G. Standards for Approval

(1) As a condition of any Special Permit for the an ARD **Remove: Adaptive Reuse Project** that proposes 10 or more multi-family dwelling units, a minimum of ten (10%) of the total number of dwelling units shall be required, in perpetuity, to be restricted to persons qualifying as moderate income in accordance with the Massachusetts Department of Housing and Community Development definitions of low and moderate incomes. This affordability requirement is recommended but not required for live-work spaces associated with makerspaces.

(2) The proposed project preserves or enhances the historic significance of existing buildings on or eligible to be on the State or National Register of Historic Places and, where applicable, the eligibility of the same for listing on the State or National Register of Historic Places as an individual property or a contributing property to an area.

(3) Any expansion of existing buildings on or eligible to be on the State or National Register of Historic Places is consistent with the U.S. Secretary of the Interior's Standards for Rehabilitation, as determined by the Leicester Historical Commission.

(4) The project shall have sufficient local infrastructure to accommodate the proposed development.

(5) The proposed ARD does not cause substantial detriment to the neighborhood after considering the following potential consequences

- a)** noise, during the construction and operational phases,
- b)** pedestrian and vehicular traffic,
- c)** environmental harm,

d) visual impact caused by the character and scale of the proposed structure(s), and

The Planning Board **Remove:** SPGA may attach such additional conditions and limitations to a Special Permit granted under this Section as may be necessary to protect the neighborhood surrounding the property, and as may be necessary to encourage the most appropriate use of the land and building to be converted.

Or take any action relative thereto.

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

The amendments to the Adaptive Reuse Bylaw are designed to increase the potential uses of large historic buildings within the town, while allow for controls to be put in place through the special permit process. These changes are requested specifically to allow greater options in repurposing the buildings on the former Becker Campus which have been deemed surplus to the needs of the Town, but they apply to other Town owned buildings, such as the former Memorial and Middle schools.

VOTE REQUIRED FOR PASSAGE Requires 2/3rds majority vote pursuant to MGL Chapter 40A, §5

Motion made by Mr. Bujak with a second received. Motion passes via hand count with Two (2) opposed.

ARTICLE 5 PETITION TO EXTEND POLICE CHIEF'S SERVICE TO THE TOWN

To see if the Town will vote to authorize the Select Board to petition the General Court to adopt a special act, as set forth below, to allow Kenneth M. Antanavica to continue to serve in the Position of Police Chief until April 30, 2025, provided, however, that the General Court may make administrative or editorial changes of form only to the bill, unless the Select Board approves amendments thereto before enactment by the General Court, which amendment shall be within the public purpose of said petition;

Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same as follows;

Section 1. Notwithstanding any general or special law to the contrary, Kenneth M. Antanavica, Police Chief of the Town of Leicester, may continue to serve in the position of Police Chief until April 30, 2025, until the date of his retirement; provided, however, that he is mentally and physically capable of performing the duties of his office. No further deductions shall be made from the regular compensation of Kenneth M. Antanavica under Chapter 32 of the General Laws for any service subsequent to April 30, 2025, and upon retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on that date.

Section 2. This act shall take effect upon its passage.

Or take any action relative thereto.

PROPOSED MOTION

Move the article be accepted as written, adding "or" between "2025," and "until" on line 5 of the Section 1.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (6-1-0)

SELECT BOARD RECOMMENDATION

Favorable Action (4-0-1) (Mr. Antanavica Abstained)

DESCRIPTION

Chief Antanavica will reach mandatory retirement age in April of 2023. Special legislation is required to allow him to work beyond his retirement date, which this article proposes. The Chief is willing to stay on until the Department is once more fully staffed and that a succession plan with training time has be put into place. Toward that end, Chief Antanavica has proposed a one-year contract. The additional year sought in the authorization is included as insurance in case the staffing and succession plan is not fully completed within his contract period.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

Motion made by Mr. Duggan, Jr. to accept as written, adding "or" between "2025", and "until" on line 5 of section 1. Second was received. Motion passes via hand count Unanimously.

ARTICLE 6 HCA STABILIZATION FUND GUIDELINES

To see if the Town will adopt the following guidelines for the expenditure of previously collected Host Community Agreement (HCA) Funds:

Whereas on November 9, 2022, the Cannabis Control Commission (CCC) assumed responsibility for overseeing regulation for the establishment and use of HCA fees;

Whereas new regulations regarding the collection and expenditure of HCA fees are expected over the next year;

Whereas the guidelines issued at that time are expected to look forward, and not refer back to HCA fees previously collected;

Whereas, the Town of Leicester has previously collected HCA fees;

Whereas; the previous guidance issued by the CCC listed the potential expenditures below:

Possible costs included in community impact fees may include, but are not limited to:

- o Municipal inspection costs;
- o Traffic intersection design studies;
- o Public safety personnel overtime costs;
- o Environmental impact studies; and
- o Substance abuse prevention programming.

Whereas, the Town has not incurred any municipal costs, nor required any studies;

Whereas the presence of recreational programs and opportunities are believed to curtail substance abuse.

In the absence of such needs the Town, through the vote of Town Meeting, hereby restricts the expenditure of previously collected HCA funds to substance abuse prevention programming for the following purposes, said funding to be used for one-time purchases, not on-going programs:

- 1.) Maintenance and upkeep of recreational fields and facilities
- 2.) Security for such recreational fields and facilities
- 3.) Purchase of equipment, hardware, and software for recreational purposes
- 4.) Or other related items as determined by the Select Board

Or take any action relative thereto.

PROPOSED MOTION

Move that the article be accepted as written

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (6-1-0)

SELECT BOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

On August 11, 2022, legislation was signed making the CCC the arbiter of how monies are collected and spent going forward. The Town has yet to spend any HCA funds, opting to place them into an HCA stabilization fund until we were given clear direction. In light of the CCC's recent comments regarding the use of previously collected HCA funds, the Select Board is interpreting the guidance given previously to adopt a policy through Town Meeting of using the previously collected funds for recreational purposes as a deterrent to substance abuse. As there is no telling currently what the guidelines will be for future funding, it is recommended that the funds be used for one-time purposes so that programs don't get implemented with previously collected funds that can't be used with new funds going forward.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote.

Motion made by Mr. Phillips, SR and a second was received. Motion passes via hand count with Three (3) opposed.

ARTICLE 7 HCA STABILIZATION FUND EXPENDITURES

To see if the Town will vote to transfer the following sums from the HCA Stabilization Fund or take any action relative thereto.

7A. MAINTENANCE AND IMPROVEMENTS AT ROCHDALE PARK

PROPOSED MOTION

Move the Town vote to transfer \$100,000 from the HCA Stabilization fund for maintenance, studies, and physical improvements at Rochdale Park.

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (6-0-1)

SELECT BOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This transfer request seeks funding for tree removal, security lighting, field rehab, playground equipment, bullpen and dugout repair, among other items to improve and upgrade Rochdale Park.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds vote pursuant to MGL Chapter 40, §5B.

Motion made by Mr. Antanavica and a second was received. Motion for 7A passes via hand count with Three (3) opposed.

7B. PURCHASE EQUIPMENT TO ESTABLISH AN AFTER-HOURS GAMING PROGRAM AT LEICESTER HIGH AND MIDDLE-HIGH SCHOOLS

PROPOSED MOTION

Move the Town vote to transfer \$82,700 from the HCA Stabilization fund to purchase equipment to establish an after-hours gaming program at Leicester High and Middle-High schools.

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (6-0-0)

SELECT BOARD RECOMMENDATION

Favorable Action (3-2-0)

DESCRIPTION

Passage of this article will allow for the purchase a total of thirty gaming computers, with associated furnishings, in order to run an after-hours video gaming program at the schools. The goal of such a program is to give students other opportunities for socialization and recreation when school is not in session. This program, designed to run between 2:00 and 5:00 pm will give students additional options to be together in a safe environment during the time of day when they are most likely to have free, unsupervised time. This will offer a popular program to a wide number of students, many of which may not normally choose to participate in after-school sporting programs or other activities.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds vote pursuant to MGL Chapter 40, §5B.

Motion made by Mr. Antanavica with a second received. Motion passes on 7B via hand count with Two (2) opposed.

7C. CHANGE SOURCE OF FUNDING OF A PORTION OF ARTICLE 10 OF THE OCTOBER 18, 2022 SPECIAL TOWN MEETING.

PROPOSED MOTION

Move that the Town vote to change the source of funding that was approved as a portion of Article 10 of the October 18, 2022 Special Town Meeting, regarding a transfer of \$100,000 from Free Cash for the purpose of placing security cameras in Town parks and other locations from Free Cash to the HCA Stabilization fund.

ADVISORY COMMITTEE RECOMMENDATION

Favorable Action (7-0-0)

SELECT BOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This transfer request is not for additional funds for the security camera project, but to change the source of funding of the request that passed at the Fall Special Town Meeting. The Select Board believes that this expenditure is a proper use of previously collected HCA funds, and that Free Cash needs to be conserved for funding Campus operations and other uses. If this motion fails, the funding from the project will remain as Free Cash.

VOTE REQUIRED FOR PASSAGE Requires a 2/3rds vote pursuant to MGL Chapter 40, §5B.

Motion made by Mr. Antanavica and a second was received. Motion passes via hand count Unanimously.

ARTICLE 8 CITIZEN'S PETITION (ROCHDALE PARK FUNDING)

To see if the Town will vote to raise and appropriate and/or transfer from available funds \$100,000 for rehabilitation and maintenance at Rochdale Park
or to take any other action relative thereto.

PROPOSED MOTION

Motion, if any, to be made by the petitioner.

ADVISORY COMMITTEE RECOMMENDATION

Support pass over of Article 8 if Article 7A passes (7-0-0)

Support Article 8 if Article 7A does not pass (4-3-0)

SELECT BOARD RECOMMENDATION

No Recommendation

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

On behalf of the signatories, this Article 8 has been withdrawn. No action taken.

ARTICLE 9 CITIZEN'S PETITION (APPROPRIATION OF ARPA FUNDING)

To see if the Town will vote to appropriate 10% or \$330,000 from the American Rescue Plan Act (ARPA) funds to CARE (Community Advocates for Resource Engagement) for the purpose of developing a grant program to assist Leicester businesses, departments, nonprofits, and volunteer organizations rebuild after the economic hardship brought about by the Covid-19 pandemic or to take any action relative thereto.

PROPOSED MOTION

Motion, if any, to be made by the petitioner.

ADVISORY COMMITTEE RECOMMENDATION

Support the Article once the Motion was acceptable by the Town Moderator (6-0-0)

SELECT BOARD RECOMMENDATION

No Recommendation

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

On behalf of the signatories, this Article 9 has been withdrawn. No action taken.

At 7:49 a Motion was made by Mr. Phillips, Sr. to adjourn and a second was received.

Respectively submitted,
Lisa J. Johnson
Interim Town Clerk

