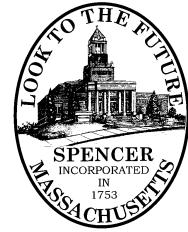


Board of the Board of Selectmen



Date: January 29, 2024
Time: 6:00 p.m.
Place: McCourt Social Hall
Present: Chairman Howard, Vice-Chair Grigg, Clerk Hicks, Selectman Pepe and Woodbury, and Administrator Bridges
Remote: None

Call the Meeting to Order

At 6:00 pm Chairman Howard called the meeting to order and led the Pledge of Allegiance

Announcement Any members that are participating remotely in accordance with Regulation 940, CMR 29.10 of the Open Meeting Law

Citizens Input

Business owners Bruce Derosiers of Guaranteed Fitness and Sheena Toscano of Sheena's Salon expressed frustration over the process to receive ARPA business grants. They stated that they submitted applications prior to the November 30th deadline and have not received any funds and additional information is being requested.

Chairman Howard noted that it is a time-consuming process and requested patience from the businesses. Administrator Bridges said some applications were incomplete, therefore additional documentation was required. He apologized for the delay, noting it takes time to ensure the process is completed accurately. He will meet with businesses next week and expects the program will be complete in February.

Meeting Minutes

Review & Act on the Minutes of January 8, 2024

A motion to approve the minutes of January 8, 2024 as amended (Pepe/Woodbury) passed 4/0.

Selectman Grigg arrived at 6:15 pm.

Old Business:

Review & Possible Action to Reconsider the Vote of the Board of Selectmen taken on January 8, 2024, to hold a Special Town Meeting on February 13th with a snow date of February 15th, 2024

Mr. Bridges reported that the Mass Department of Revenue (DOR) provided a letter outlining the process for adding the additional \$4.5 million to the DPHS project budget. The additional funds are being provided by the MSBA and will not increase the cost to the taxpayers. The DOR is requiring the Boards of Selectmen for both Spencer and East Brookfield to determine if a Special Election for a Debt Exclusion is warranted.

Dr. Hicks pointed out that taxpayers are not being asked to pay anything additional; the funds are provided by the MSBA and he does not see the need to hold a Special Election.

Mr. Bridges provided a draft Warrant for the February 13th Special Town Meeting which does not address holding an election. The actual motion would include the language for the Debt Exclusion vote, not the Warrant. The Board needs to determine whether to hold a Special Election for a Debt Exclusion vote. Mr. Pepe noted his concern with the potential to ask voters for multiple requests in the future and is not opposed to allowing voters to decide at a Special Election. Mr. Woodbury is also in favor of a Special Election and indicated that the Board is obligated to allow the taxpayers to vote. Dr. Hicks pointed out that the additional items include a metal roof, concrete curbing, and other items which will result in long term cost savings over the life of the building. Mr. Woodbury agreed, but said not every item on the addition list is necessary; certain items could be eliminated to reduce the number and provide some relief for the taxpayer. Mr. Pepe said not all items on the addition list are necessary and wants to allow the residents the opportunity to decide. Chairman Howard noted that the State MSBA is willing to give the Town the extra funds for the project and wants to allow the School Committee to decide how to use the funds.

A motion to request a Special Ballot Election for the \$4.5 million for the DPHS project (Pepe/Woodbury) passed 3/2. Hicks-no, Howard-no.

New Business:

Review & Possible Action on the Request of the SEBRSD School Building Committee Chair to hold a Special Town Meeting to utilize MSBA funds for the DPHS Building Project

This item was passed over as it was only needed if the February 13th meeting date was cancelled.

Review and Possible Action Dangerous Building: 31 Mechanic Street (public hearings were held on 11/6/2023; 12/4/2023: and 12/18/23; pursuant to G.L. c.139, §1)

Jim Mulvey representing Sharon Grieve's interests in 31 Mechanic Street was present and Attorney Jeff Blake representing the Town was online.

In accordance with MGL, c.139, §1, letters were sent to the owners of 31 Mechanic Street informing them of the dangerous building status and to either demolish, or provide a report on how to repair and make the building safe. Mr. Bridges stated that the requirements imposed by the Board have not been met. Mr. Mulvey said he has not had time to come up with a solution.

Attorney Blake stated that the Board gave the owner the opportunity to make the building safe or demolish it and they did not comply or provide a timeline, or interim measures to make it safe. The Board may grant another extension or file suit and ask the Court to enforce the Order to allow the Town to demolish the building and place a tax lien on the property.

Dr. Hicks asked Mr. Mulvey if there was a plan to make the building safe within the next few days. Mr. Mulvey said there is no plan, though an engineer went inside and did not advise him to take the building down. Dr. Hicks stated that the location of the building creates the potential to cause bodily injury or even death and despite the Board extending ample opportunity to the owner to remedy the situation, nothing has been done and this is a liability to the Town. Mr. Pepe stated that they are no

closer to a resolution than when the situation began months ago. The Board agreed that public safety is the priority.

A motion to authorize Town Counsel to file suit with the Court to enforce the Demolition Order and in the event it is not done, the Town can take the building down (Pepe/Hicks) passed 5/0.

Review and Possible Action Drainage Improvements – 42 Bacon Hill Road

Mr. Boria provided a conceptual drainage plan and cost estimate from Corey Brodeur with Haley Ward Engineering to address Bill Keyes's drainage issues at 42 Bacon Hill Road. Mr. Keyes reviewed and accepted the plans and will give the Town an easement. The total cost for construction and engineering is estimated to be between \$90,000 to \$100,000. Mr. Bridges noted that in addition to the easement, a release absolving the Town of any further action will be drafted and must be signed by Mr. Keyes prior to any work being done.

Mr. Grigg is not in favor of the Town making improvements on private property and will not support this work. He is willing to move headwall back only. Mr. Woodbury stated that it was the Town's mistake to install the drainage without an easement and now must be corrected. Dr. Hicks said the Town should not have installed the headwall on the property without an easement. Chairman Howard is not in favor of this work and is concerned over other drainage issues on private property.

A motion to move forward to get the headwall on Town property and to fund through use of FMPC funds along with the associated engineering costs for 42 Bacon Hill Road (Woodbury/Hicks) passed 3/2 Grigg no; Howard no.

Review and Possible Action: Revised Fee Schedules for Planning, Zoning, and Conservation

Town Planner/Conservation Agent Lauren Vivier separated the solar fees for commercial and kept residential fees the same. The large-scale solar fees were revised by adding .25 cents per additional kilowatt, plus fees for major site plan review and decommissioning bond review.

A motion to approve the revised solar fee schedule as presented (Grigg/Hicks/) passed 5/0.

Review & Possible Action: Spencer Police Department Constable Policy

A motion to approve Police Department Constable Policy (Hicks/Woodbury) passed 5/0.

Review & Possible Action to Reappropriate Funds Remaining from the Sewer System Evaluation Survey (SSES) Study to the Wastewater Treatment Plant Upgrade Project

A motion to Reappropriate Funds Remaining from the Sewer System Evaluation Survey (SSES) Study to assist with the Wastewater Treatment Plant Upgrade Project (Woodbury/Hicks) passed 5/0.

Town Administrator's Report:

Review FY2025 Budget Calendar

The calendar outlining meetings leading up to the ATM was reviewed.

Process for requesting Reserve Fund Transfers

Mr. Bridges requested a reserve fund transfer from the Finance Committee for Town Counsel expenses and the question arose about whether the Board of Selectmen should approve the request prior to the Finance Committee. Although MGL allows for finance committees to approve such transfers, he asked the Board if they would prefer to be involved in the process since they appoint Town Counsel. The Board agreed that in the future, the Administrator will notify the Chair of any transfers for the Town Counsel Account in the future.

Letter from EOHLC – Pioneer Valley Planning Commission (PVPC) CDBG Program

Mr. Bridges notified the Board of a letter received from the Office of Housing and Livable Communities with regard to shortfalls in the PVPC internal process of CDBG grants. PVPC has made improvements and there are no concerns at this time.

Review & Possible Action on the following Contracts / License Agreements / Change Orders / Bids:

Contract with Atlantic Recycling Equipment, LLC for the purchase of a Solid Waste Trailer

A motion to approve the contract with the Atlantic Recycling Equipment, LLC (Hicks/Pepe) passed 5/0

Commonwealth of Massachusetts – Standard Contract (Earmark for Spencer Senior Center)

A motion to approve the contract (Pepe/Grigg) passed 5/0.

CDBG FY2021 Agreement with PVPC Contract Amendment #1 (Valley and Mill Streets Phase

A motion to PVPC Contract Amendment #1 (Pepe/Woodbury) passed 5/0.

Commonwealth of Massachusetts – Emergency Management Performance Grant

A motion to approve the Emergency Management Performance Grant (Pepe/Hicks) passed 5/0.

Congressionally Directed Spending Contract Documents – Fiber Optic Project Phase II

A motion to approve the Fiber Optic Project Phase II (Woodbury/Hicks) passed 5/0

Citizen's Input

Bob Cirba, 23 Summit Street:

- Mr. Bridges disparaged a Finance Committee member because he doesn't like him
- ARPA for businesses should have been completed sooner
- Concern over the treatment of Mr. Desrosiers's during Citizens Input

Board Member and Staff Comments

Dr. Hicks watched the recent Finance Committee meeting and was concerned to see tasks being assigned to Mr. Bridges who already has a full plate. The Administrator reports to the Board of Selectmen and if the Finance Committee needs additional assistance, they can make a request to the Board.

Adjournment

The meeting adjourned at 7:18 pm all were in favor.

Respectfully submitted,

Brenda Savoie,
Executive Assistant

Referenced documents: SEBRSD letter from Dr. Haughey and the District's Counsel, letter from DLS on debt exclusion, draft STM Warrant, 42 Bacon Hill Rd. drainage improvement plan, revised solar fee schedule, Police Department Constable Policy, budget calendar, EOHLC letter, contracts as listed above