



Minutes of the Meeting of the Board of Selectmen

Date: Wednesday, November 14, 2012
Time: 6:00 p.m.
Place: McCourt Social Hall, Memorial Town Hall, Spencer, MA
Present: Vice Chair Woodbury, Clerk Stevens, Members Berthiaume & Fritze, and Town Administrator Gaudette. Chairman Pepe was participating remotely.

At 6:04 pm Vice Chair Woodbury called the meeting to order and led the pledge of allegiance. He announced that Chairman Pepe would participate remotely in accordance with Regulation 940, CMR 29.10 of the Open Meeting Law; all votes will be taken under roll call.

Approval of Minutes:

A motion to approve the minutes of the Business Meeting of October 22, 2012, and Special Meeting of November 5, 2012 (/Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

Citizen Input:

None

Communications:

- a) Spencer Senior Center Holiday Craft Fair will be held on Monday afternoons at the Senior Center during November and December.

New Business:

- a) Veteran's Agent Peter Rock – Town Hall Rotunda Veteran's Names
Mr. Rock advised the board that he was asked by Mr. Berthiaume to investigate names to be placed in the Town Hall Rotunda. He suggests we honor men and women who participated in the Gulf War / War on Terror and believes he has 78 confirmed names. He would like to place an advertisement requesting war veterans contact him. The estimated cost is \$6,000 for the letters which will be designed to match the current ones. Mr. Berthiaume asked about including those serving in Panama. Mr. Rock will research.

A motion to authorize the Veterans Agent to place an advertisement in a local paper (/Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

- b) National Grid Pole Hearing – Woodside Road Plan #13425858
Vice Chair Woodbury opened the hearing at 6:21 p.m.

Diane Klaus, a representative from National Grid informed the Board of a joint petition from National Grid and Verizon to relocate one JO pole on Woodside Rd as shown on

Plan # #13425858. Ms. Klaus met with property owners.

No one from the public asked to be heard on this matter.

Mr. Woodbury said he would like to see a resolution to the situation with keeping double poles for long periods of time.

The hearing was closed at 6:25 p.m.

A motion to approve Plan #13425858 as written (/Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

c) Public Hearings for Annual Licenses for Calendar Year 2013 – Class II, Class III, and Gravel Permit Operations

Vice Chair Woodbury opened the hearing at 6:27 p.m. He asked for public comment. No one came forward. Mr. Woodbury reviewed the sales book owned by Dennis' Auto and noted it looked perfect.

The hearing was closed at 6:29 pm.

A motion to approve the Gravel License renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Bond Construction, North Spencer Road and Cranberry Meadow Road locations, with the condition that they comply with ZBA Permit Conditions
- David Vandale with the condition that they comply with ZBA Permit Conditions and obtain a Request for Determination with the Conservation Commission before continuing with any further clearing
- Stan Kaitbenski with the condition that they comply with ZBA Permit Conditions, and continue to provide a bond in the amount of \$20,000.00
- Leo Aucoin with the condition that they comply with ZBA Permit and ODIS stipulations
- Robert Moschini, Royal Crest Farm LLC, with the condition that they comply with the ZBA permit
- William Casey Estates LLC, with the condition that they comply with ZBA permit and Conservation Order of Conditions

A motion to approve the Class II renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Dennis' Auto Sales
- Easy Way Auto
- Main Street Auto Sales
- Hilltop Auto Sales
- Ron Brown Auto Sales
- Ragsdale Auto, Inc.

- Small Car Clinic (16 Main Street)
- Small Car Clinic (116 Main Street)
- Spencer Motor Sales
- Straight Line Auto
- Brian's Auto Body - pending approval of the new Class II license

A motion to approve the Class III renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Durgin's Valley Garage

d) Annual License/Permit Renewals for Calendar Year 2013

A motion to approve the Class I renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Ahearn Equipment, Inc.
- Klem Tractor, Inc.
- Barnstorm Cycles

A motion to approve the Alcohol License renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Ethier's Café
- Granville's Pub
- Chef Sau
- Spencer Country Inn
- Mexicali Grille
- Zukas Hilltop Barn
- Charlie's Diner
- Black & White Pizzeria & Grill
- Country Spirits
- Liquor Barn
- Spencer Package Store
- Kaboodle's
- Bayberry Bowling - contingent upon certificate of inspection from the Fire Chief
- Xtra Mart
- Vijay Convenience
- Knights of Columbus
- American Legion
- Spencer Fish & Game

A motion to approve the Common Victullaer License renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Big Y Foods
- Camp Marshall
- Cumberland Farms
- Dairy Queen
- Dippin' Donuts
- D & S Diner
- Edible Arrangements
- Five Loaves
- Hess Express
- John's Pizza
- Kosta's Cafe
- McDonald's
- Jia Buffet
- Price Chopper
- Spencer Donuts (West Main Street)
- Spencer Donuts (East Main Street)
- Spencer Pizza House
- Spencer Produce & Deli
- Subway
- Thibault's Country Store
- Two Chefs
- Toupin's Catering
- Village Pizza
- Wire Village School
- Lake Street School
- Knox Trail Junior High School
- David Prouty High School
- Maple Street School
- Cistercian Abbey of Spencer
- First Congregational Church
- Mary, Queen of the Rosary
- Spencer United Methodist Church
- St. Joseph Abbey Guest House
- American Legion
- Black & White
- Drake Petroleum
- Ethier's Café
- Granville's Pub
- Kaboodle's
- Knights of Columbus
- Mexicali Grille
- New Fortunes, d/b/a Chef Sau
- Red Maple Inn
- Spencer Country Inn

- Spencer Fish & Game
- Turner's Catering, d/b/a Charlie's Diner
- Zukas Hilltop Barn

A motion to approve the Inn Keepers License renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Shari Alexander d/b/a The Red Maple Inn
- Spencer Country Inn
- Zukas Hilltop Barn

A motion to approve the Amusement License renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Bayberry Bowling - contingent upon certificate of inspection from the Fire Chief
- Richland Vending Industries (Price Chopper)
- Granville's Pub
- Ethier's Café

A motion to approve the Lodging License renewals (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- South Middlesex Non-Profit Housing Corporation (Liberty Guest House)
- Lismorris LLC (126 Main Street)

A motion to approve the General License renewal (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Mohegan Council, Inc., Boy Scouts of America

A motion to approve the Entertainment License renewal (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- American Legion
- Bayberry Bowling Center - contingent upon certificate of inspection from the Fire Chief
- Black & White
- Granville's Pub
- Kaboodle's
- Knights of Columbus
- Chef Sau
- Spencer Country Inn
- Mexicali Grille
- Zukas Hilltop Barn

A motion to approve the Junk Dealer License renewal (listed below) (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- Comier Jewelers
- William Ekleberry, Jr.
- J & M Collectibles
- The Gathering Place
- Thibault's Country Store

Mr. Pepe noted that the Alcohol License report issued by Chief Darrin indicates issues with arrests in certain businesses. Mr. Gaudette said unless there is a violation by the ABCC, it is difficult to segregate. The Board agreed to have Chief Darrin in to provide additional details for information purposes.

- e) 6:45 p.m. Public hearing for New Class II License – Brian's Auto Body Inc., 37 Main Street for remainder of Calendar Year 2012

Vice Chair Woodbury opened the hearing at 6:47 p.m.

Mr. Gaudette explained that Brian Lucier of Brian's Auto Body is applying for a new Class II License for the remainder of 2012 and a renewal for 2013, based up approval of the new one.

Mr. Lucier said that he started Brian's Auto Body 14 years ago. He has been a Spencer resident for over 17 years. He receives inquiries on purchasing cars and decided to apply for a Class II License.

Mr. Woodbury asked if any members of the public wished to comment.

Adrian Ledoux, 29 Main Street asked how many cars will be on the lot. He also said he observed issues with snow plowing and piling on the sidewalk.

Mr. Lucier said the application allows for the sale of up to 4 cars at a time. He said he will make sure the sidewalk is not blocked with snow.

Annette Converse, 24 Main Street asked if hours will be extended. Mr. Lucier said the hours would remain the same.

Chris Gregoire, Belle Street, said he supports the business and sees no additional impact to the neighborhood.

Vice Chair Woodbury closed the public hearing at 6:55 p.m.

A motion to approve the Class II License for Brian's Auto Body for the remainder of 2012 (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- f) Action Item: approve 2:00 a.m. closing on New Year's Eve for establishments with pouring licenses

A motion to approve the 2:00 a.m. closing on New Year's Eve for establishments with pouring licenses (Berthiaume / Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes

- g) Action Item: Vote to submit 2012 Community Innovation Challenge (CIC) Grant Applications (2)

Mr. Gaudette reported that the Town received CIC grant funding in 2011. The State is offering grants up to \$200,000 this year. He is working with CMRPC, WPI, and DCR on a Stormwater Management Project and is requesting support of the Board for the grant application.

A motion to submit a 2012 CIC grant application for the Stormwater Project and for the Chairman to sign on behalf of the Board (Berthiaume/Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

Mr. Gaudette is working with CMRPC on an Electronic "E-permitting" project. A regional vendor would set up the website and several towns would access through a portal. It allows for individuals to apply for permits online making it more customer friendly.

A motion to submit a 2012 CIC grant application for the E-permitting Project with CMRPC and for the Chairman to sign on behalf of the Board (Berthiaume/Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

Mr. Gaudette is working with CMRPC on Housing Production Plans. This will help the Town meet the State requirement for affordable housing through a planned process. One consultant would do work for all towns.

A motion to submit a 2012 CIC grant application for Housing Production Plans with CMRPC and for the chairman to sign on behalf of the Board (Berthiaume/Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

Old Business:

- a) Discussion: FY2014 Budget goals

Discussion will take place at the November 26th meeting.

Town Administrator's Report:

- a) Action Item: Town Administrator's Goals for FY13

Discussion/action will take place at the November 26th meeting.

Board Liaison Reports

Mr. Fritze reported that the new Fire Station building foundation is in the process of being installed.

Citizen Input

Carl Kwiatkowski, Meadow Rd, said he is concerned about the number of accidents at the corner of Meadow Rd and Pleasant St. Mr. Gaudette said they are aware of the issues and that Mr. Tyler petitioned the state to review the intersection.

Mr. Kwiatkowski asked about using green salt and noted that many other towns are using it.

Al Atchue, Meadow Rd, thanked the Board for developing the Sex Offender Bylaw. He suggests the Board look into a bylaw limiting the sale of medical marijuana. Mr. Berthiaume explained this is mandated by the State.

Board Member and Staff Comments

Mr. Berthiaume announced the Christmas Parade of Lights will take place on December 8th at 7 p.m. He also thanked everyone for their participation with the Halloween Party including Spencer Rental, Whitco, Sounds by Jake, Celebrations Committee, Exchange Club and Town Hall staff for making cupcakes.

Mr. Stevens noted he is researching CMRPC documents and sections of the Master Plan for the Economic Development Committee.

Request for Executive Session under Mass General Laws, Chapter for the purposes of discussing strategy with respect to contract negotiations with non-union personnel

a) At 7:18 pm a motion to meet in Executive Session (Berthiaume / Fritze) in accordance with MGL Chapter 30A § 21 ¶ 2, for the purposes of discussing strategy with respect contract negotiations with non-union personnel; passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

b) Vice Chair Woodbury advised that the Board will now enter into executive session not to reconvene in open session, accept to adjourn.

A motion to adjourn at 8 18 p.m. (Berthiaume/Fritze) passed with a roll call vote: Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.

Respectfully Submitted,

Brenda Savoie
Administrative Assistant

_____ Chairman
_____ Vice Chairman
_____ Clerk
_____ Member
_____ Member