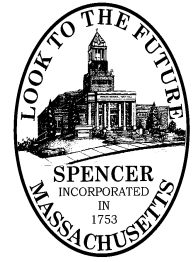


## **Minutes of the Meeting of the Board of Selectmen**

Date: April 8, 2019 – Business Meeting  
Time: 6:00 p.m.  
Place: McCourt Social Hall, Memorial Town Hall, Spencer, MA  
Present: Chairman Woodbury, Vice Chair Hicks, Clerk Berthiaume,  
Members Monette, Pepe, and Administrator Gregory



Chairman Woodbury called the meeting to order at 6:00 p.m. 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**

None

### **Meeting Minutes**

**Vote to approve the Meeting Minutes of March 25, 2019**

*A motion to approve the minutes of March 25, 2019 (Hicks/Berthiaume) passed 3/0. Mr. Pepe and Mr. Monette abstained.*

### **Communications**

None

### **Citizen Input**

William Shemeth, 6 Dale Street asked the Board not to issue an Entertainment License for the Terptown Throwdown event since it is a cannabis awards event and the citizens of Spencer voted not to support the sale or use of recreational marijuana.

### **Old Business**

**Review & Act on the Application of Philip Hardy of Terptown Throwdown for an Entertainment License for a Live Music/Art Festival & Reggae Cannabis Awards on July 6, 2019 at the Spencer Fairgrounds**

Philip Hardy and Keith Kerrigan are seeking approval to hold a festival on July 26, 2019 at the Spencer Fairgrounds with live music and art.

Mr. Gregory reported that a technical review meeting was held with the applicants to evaluate the merits of the event. The message was communicated to the applicants that public use of marijuana will not be tolerated and any offenders will be prosecuted. If the Board approves the event, all required documentation must be submitted to the appropriate department prior to final approval and issuance of a license.

Mr. Hardy said the festival will focus on music and art and promote marijuana home growers within the law. No smoking will be allowed. They will have an area to educate people on marijuana use. Mr. Kerrigan said cannabis will not be on site and in an effort to be proactive, extra security is being hired.

Mr. Pepe wants to ensure there is no smoking of marijuana on the premises and that the parking lot be policed as well. Mr. Hardy said their security will control the perimeter to prevent public consumption. In addition to the private security, they will have two Spencer Police details.

Ms. Berthiaume asked if the vendors plan to give away samples. Mr. Hardy said that is not allowed, although he acknowledged some may attempt to and will work to prevent that from happening.

Chairman Woodbury said he was concerned people will abuse the policy and wants to ensure there are no issues. Mr. Hardy indicated that the security firm they hired worked at numerous large festivals and sports events, including Patriot's games at Gillette Stadium and will instruct anyone to stop smoking.

Mr. Monette asked about the benefit for vendors since they cannot sell or provide samples. Mr. Kerrigan said they're establishing their brands and will sell tee shirts, stickers, and other miscellaneous items.

*A motion to approve the Application of Philip Hardy of Terptown Throwdown for an Entertainment License for a Live Music/Art Festival & Reggae Cannabis Awards on July 6, 2019 at the Spencer Fairgrounds, contingent upon if additional police are needed, they must pay the bill. (Pepe/Hicks/) passed 4/1. Monette was not in favor.*

### **New Business**

#### **Review & Act on the Request of Mark Gallant, Dogfather Vending, LLC for an Entertainment License for a Food Truck Festival at the Spencer Fairgrounds on August 3, 2019 at the Spencer Fairgrounds**

Mark Gallant was present to request an Entertainment License for a Food Truck Festival at the Spencer Fairgrounds. There will be approximately twenty-five food trucks and a live band. A \$5 admission fee will be charged.

Dr. Hicks asked about having a police detail. Mr. Gregory will check with Chief Darrin to see if it's needed.

*A motion to approve the request of Mark Gallant, Dogfather Vending LLC, for an Entertainment License to have a Food Truck Festival at the Spencer Fairgrounds on August 3, 2019 with a police detail, if necessary per the Chief of Police (Hicks/Berthiaume) passed 5/0.*

#### **Review and Act on the Request of John Horan, Central Mass Working Dog Club, for an Entertainment License for a Dog Show Competition on May 3 & 4, 2019 at O'Gara Park**

William Shemeth reported that John Horan presented a request to the Parks and Rec for this event and it was approved. Mr. Horan has maintained and contributed to the upkeep of O'Gara Park.

*A motion to approve the request of John Horan of Central Mass Working Dog Club for an Entertainment License to hold a Dog Show Competition on May 3 & 4, 2019 at O'Gara Park (Hicks/Pepe) passed 5/0.*

#### **Review & Act on the Application of John Horan, Central Mass Working Dog Club, for a One Day Alcohol License on May 3 & 4, 2019 at O'Gara Park**

*A motion to approve the request of John Horan of Central Mass Working Dog Club for a One-day Alcohol License (wine & malt) on May 3 & 4, 2019 at O'Gara Park (Monette/Berthiaume) passed 5/0.*

Mr. Pepe asked if alcohol will be in an enclosed area. Mr. Horan said it will be in a beer garden and no one is allowed to remove it from that area.

**Review & Act on the petition of the Fish & Game Club for a Change in Alcohol License Beneficial Interest (Officers & Directors)**

Chairman Woodbury noted that this is an annual change in the Board of Directors. All paperwork is in order. The new officers/directors are Fran Cadrin and Bob Pranaitis.

*A motion to approve the petition of the Fish & Game Club for a Change in Alcohol License Beneficial Interest (Officers & Directors) (Hicks/Berthiaume) passed 5/0.*

**Review & Act on the Request for DPHS Athletic Boosters to hold a Toll Booth on April 27, 2019, with a rain date of May 4, 2019 at the intersection of Main and Pleasant Street**

Byron Dean with the DPHS Booster Club was present to request permission to hold a toll booth for the DPHS Athletic Boosters on April 27, 2019, with a rain date of May 4, 2019 at the intersection of Main and Pleasant Street and at the Transfer Station.

*A motion to approve the Request of DPHS Athletic Boosters to hold a Toll Booth on April 27, 2019, with a rain date of May 4, 2019 at the intersection of Main and Pleasant Street (Hicks/Berthiaume) passed 5/0.*

They plan is to be at the Transfer Station from 9 to noon and they will work with the U & F Office for approval.

**Review and Act on Request to Transfer \$2,000 from Treasurer / Collector Expenses (#11145-57000) to Treasurer / Collector Salaries (#11145-51000) per General Law, Ch. 44, Section 33B**

Mr. Gregory is requesting the transfer of \$2,000 from the Treasurer/Collector expense account to the Treasurer/Collector salary account to cover extra hours worked. The Board of Selectmen and Finance Committee are being asked to vote on this.

*A motion to approve the Transfer of \$2,000 from the Treasurer / Collector Expenses (#11145-57000) to Treasurer/Collector Salaries (#11145-51000) per General Law, Ch. 44, Section 33B (Pepe/Monette) passed 5/0.*

**Review and Act on Insurance Advisory Committee's Recommendation on Dental Insurance Renewal for FY2020**

Mr. Gregory reported that the Insurance Advisory Committee met to review dental insurance plans for FY2020 and voted to combine two elements of the Altus plan which provides the greatest benefit to employees and results in a 20% reduction in cost to the Town.

*A motion to approve the Insurance Advisory Committee's Recommendation on the Dental Insurance Renewal for FY2020 (Hicks/Pepe) passed 5/0.*

**Review and Act on Letter to the Department of Public Utilities on National Grid Delays**

Mr. Gregory drafted a letter to National Grid expressing concern over the agreement between National Grid and Citizen's Energy for a 75 week interconnection timeline for the Landfill Solar Project. This delay will result in a reduction of \$80,000 in new revenue for the Town.

*A motion to approve the Letter to the Department of Public Utilities Concerning National Grid Delays (Berthiaume/Pepe) passed 5/0.*

## **Town Administrator's Report**

### **Review and Act on Authorization to Allow Override Ballot Question for the Spencer Rescue Squad on the May 14, 2019 Annual Town Election**

Mr. Monette recused himself from this discussion.

Mr. Gregory was able to make some adjustments in the FY2020 Budget to fund the Spencer Rescue Squad's requested increase of \$75,000 for a total request of \$225,000 for FY2020. He was able to utilize \$10,000 from Snow & Ice, \$5,000 from Fire Department overtime, \$16,000 from the dental plan savings, \$12,000 by level funding Town Hall hours, and delaying the start date of the School Resource Officer to October.

There was discussion on using onetime funds and how to ensure funding in future years. Dr. Hicks pointed out that a Proposition 2 ½ Override will result in an increase of approximately \$10 per year for the average home.

Mr. Pepe noted these adjustments will cover FY2020 and allow time to prepare and plan for an Override for FY2021.

Chairman Woodbury was concerned with using free cash and agreed a plan to fund the SRS is needed for future years.

*A motion Not to Allow an Override Ballot Question for the Spencer Rescue Squad on the May 14, 2019 Annual Town Election (Pepe/Berthiaume) passed 4/0. Mr. Monette recused himself.*

### **Review & Act to Finalize FY2020 Budget & Capital Plan**

Mr. Gregory reported that the Council on Aging budget may need an adjustment.

Chairman Woodbury recused himself.

Administrator Gregory reported the requested increase is for five additional hours for the COA Director and 4.5 additional hours for the Outreach Worker. Options to consider include an incremental increase, or level funding the hours.

Mr. Pepe noted his concern over the optics of a 33% increase in the salary line and said he is in favor of an incremental increase in hours. Mr. Monette agreed, and pointed out reductions and level funding in other departments.

This will free up \$6,400 in the budget and can be put towards Snow and Ice, or the SRO.

*A motion to use Option 2- Incremental Increase in Hours as presented by the Administrator for the Council on Aging and apply the difference to the SRO (Pepe/Hicks) passed 4/0. Chairman Woodbury recused himself.*

### **Review & Act to Close & Sign FY2020 Annual Town Meeting Warrant (ATM)**

Administrator Gregory reviewed the FY2020 ATM Warrant which consists of 34 Articles. There was discussion on the following Articles:

Article 30 seeks to amend the General Bylaws, Section 3: Capital Improvement Planning Committee (CIPC), to add a member appointed by the Spencer-East Brookfield School Superintendent, in consultation with the School Committee, to serve in an ex-officio capacity.

Dr. Hicks suggested the member be a Spencer resident and a voting member. Mr. Pepe agreed it should be a Spencer resident, however not a voting member to avoid the possibility of skewing the scores with two members of the School Committee on the CIPC.

Article 34 is a Citizen's Petition submitted by Jonathan Viner and attempts to change the Planning Board from appointed to elected and have Town Staff serve at the direction of the Planning Board. It will be discussed at the Town Meeting.

Article 19 seeks to appropriate \$38,735 from unexpended capital projects and transfer the amount to for Salt Storage Building.

Article 20 is for \$556,965 in capital purchases and equipment and has been approved by the CIPC.

Administrator Gregory reported that the LED Streetlight Conversion amount of \$183,000 funds the project for one year. The State's Rapid Conversion Grant covers 30% of the cost for the first year. U & F Superintendent Billy Krukowski received estimates for the total cost at \$282,000. Mr. Pepe noted that the CIPC felt if the \$95,000 for Library A/C could be shifted towards the Salt Shed, or the LED Rapid Conversion Project, it would maximize the return on the Grant.

The Salt Shed was ranked as the first priority, with the goal to fund at the Fall Town Meeting through a combination of free cash and stabilization; the CIPC would like to be fund a portion of this now.

Chairman Woodbury noted that the Fire Department cruiser could be kept longer since it's only used for 12,000 miles per year. The Administrator will advise the Chief to delay the purchase of the cruiser until the Fall Town Meeting and to have it set up as a lease agreement at that time. The \$61,000 could be shifted to the Salt Shed.

The Board advised the Administrator to review the numbers as discussed and put \$100,000 towards the Salt Shed and fully fund the Led Streetlight Conversion project.

*A motion to shift capital expenditures as discussed (Pepe/Monette) passed 5/0*

*A motion to close and sign the May 2<sup>nd</sup> ATM Warrant (Hicks/Berthiaume) passed 5/0.*

The Board signed the Warrant.

### **Discussion: Town Administrator Review Process**

Chairman Woodbury asked members to submit their completed evaluation forms ASAP.

### **Board Liaison Reports**

Chairman Woodbury reported that the Spencer Cable Access is now providing live meeting coverage. He also noted that the student renditions for the redesign of the Lake School were impressive.

Mr. Pepe commended Town Planner Paul Dell'Aquila for reaching out to encourage businesses in Spencer.

### **Citizen Input**

Finance Committee Chair Mary Braney asked the Board to be mindful of the needs of all Town departments for long range financial planning.

### **Board Member and Staff Comments**

Mr. Monette commended Representative Donnie Berthiaume for donating the building plans for O'Gara Park improvements and the SCA Control Room.

The meeting adjourned at 8:31 p.m. All were in favor.

Respectfully submitted,

Brenda Savoie  
Executive Assistant

#### **Referenced documents:**

Entertainment and Alcohol applications  
FY2020 Budget Documents  
ATM Draft Warrant  
Letter to DPU