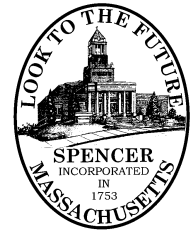


Minutes of the Meeting of the Board of Selectmen



Date: May 26, 2020
Time: 6:00 p.m.
Place: Audioconference Broadcasted Live from McCourt Social Hall
Memorial Town Hall, Spencer, MA
Present: Administrator Gregory
Dialing in: Clerk Berthiaume, Members Hicks and Woodbury
Vice-chair Monette arrived 6:29 at pm and Chairman Pepe was absent.
Health Agent Lisa Daoust and Police Chief Darrin were also present.

Chairman Pepe called the meeting to order at 6:01 p.m. and announced the meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, pursuant to the current State of Emergency in the Commonwealth due to the outbreak of the COVID-19 Virus. In order to mitigate the transmission of the COVID-19 Virus, we have suspended public meetings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. We are meeting remotely and broadcasting live on Spencer Cable Access to ensure public viewing access. Public participation is not mandatory unless such participation is required by law, though Citizens Input will be a part of the meeting if residents wish to dial in.

6:00 p.m. National Grid Pole Hearing - Act on Request of National Grid for the following pole installations:

Install (1) JO Pole on Paxton Road - Plan no. 929444500
Install (5) JO Poles on McCormick Road – Plan no. 28952035
Install (4) JO Poles on Meadow Road – Plan no. 28952035
Install underground electric conduits to riser pole – Plan no. 29097176

At 6:07 pm Clerk Berthiaume opened the Public Hearing.

It was noted that there was an error with the dial in number on the noticed mailed to abutters and continuing the hearing will allow time to resend the abutter notices with the revised dial in number.

*A motion to postpone the hearing and continue to the June 15th meeting at 6 pm.
(Woodbury/Hicks) passed with a roll call vote: Berthiaume-yes, Hicks-yes, Woodbury-yes.*

Review and Act Review on Right of First Refusal for MGL Chapter 61A Land on Hastings Road (60,500 sq. ft. from map R44/36)

Attorney Phillip Stoddard, representing the Bruso Family Trust requested that the Board waive their Right of First refusal for the 60,500 square foot parcel to allow the Bruso family to build a single-family home.

Mr. Gregory noted that all documents in order and the Conservation Agent sent a memo indicating that the Conservation Commission does not recommend purchasing the property.

A motion to waive the Right of First Refusal for the property as discussed (Woodbury/Hicks) passed with a roll call vote: Berthiaume-yes, Hicks-yes, Woodbury-yes.

Review and Act on Coronavirus / COVID-19 Response

Health Agent Daoust reported:

- The total number of confirmed COVID-19 cases in Spencer is currently 41 with 10 active cases.

Chief Darrin reported:

- It was an active Memorial Day weekend with nine arrests; he believes likely due to COVID cabin fever.
- They received 200 washable cloth masks to provide to public.

Administrator Gregory indicated that the State's phased in opening plan gives municipal buildings the green light, however it will not happen for several weeks. The implementation process is a challenge and currently each room cannot exceed 25% of its occupancy. He will work with Department Heads on an implementation plan.

Review and Act to Appoint Joelyn Durgin as Temporary Register until December 31, 2020

Town Clerk Laura Torti reported that since the resignation of Registrar Elizabeth McPherson, a temporary Registrar must be appointed and requests the appointment of Joelyn Durgin to serve until June 30, 2020.

A motion to appoint Joelyn Durgin as Temporary Register to serve until June 30, 2020 (Hicks/Woodbury) passed with a roll call vote: Berthiaume-yes, Hicks-yes, Monette-yes Woodbury-yes.

Review and Act on the 2020 Annual Town Election Warrant June 23rd

Town Clerk Torti explained the election will take place on June 23rd and there several opportunities for early voting, therefore she asked the Board to consider setting election hours from noon to 4 pm to help protect the election staff.

Health Agent Daoust agreed that noon to 4 pm is reasonable, noting that the health of wellbeing of workers and the public is paramount.

Dr. Hicks pointed out that some people are only available to vote after work and prefer to vote in person and said remaining open until 6 pm is best. Mr. Woodbury suggested 7 pm to allow people that work until 6 pm time to get to the polls.

A motion to approve the Annual Town Election Warrant on June 23rd with hours from noon to 7 pm. (Woodbury/Berthiaume) passed 4/0 by roll call vote Berthiaume-yes; Hicks-yes; Monette-yes; Woodbury-yes

Review and Act to Approve the Collective Bargaining Agreement (CBA) (FY21-FY23) Between the Town and Teamsters Local 170 (Clerical Unit)

Mr. Gregory reported that that Board previously voted on the CBA in principal in Executive Session and now a vote is required in open session. The total salary value for FY21 is \$24,350.

A motion to approve the Collective Bargaining Agreement (FY21-FY23) between the Town and Teamsters Local 170 (Clerical Unit) (Hicks/Woodbury) passed 4/0 by roll call vote Berthiaume-yes; Hicks-yes; Monette-yes; Woodbury-yes

Review and Act on the Memorandum of Understanding (MOU) Between the Town and Spencer Cable Access (SCA) Dated February 1, 2013

Mr. Gregory advised the Board that Spencer Cable Access (SCA) requested an amendment to the MOU between the Town and SCA dated February 1, 2013, which directs the franchise fee revenue received from Charter Communications in the amount of 3%, be broken down in the amount of 2.7% to SCA and 0.3% to the Town to use for the future purchase of a fiber communication network. The Town amount was placed into a capital account and never used for the fiber network. In 2019, the balance in that account was used to assist SCA with expenses to build a Studio in Town Hall. SCA is requesting to amend the MOU to allow the entire 3% franchise fee be provided to them and since the original intent for a fiber network is no longer feasible, Mr. Gregory is in support of the request.

A motion to amend the MOU between the Town and SCA such that the 3% collected from Charter be directed exclusively to SCA (Woodbury/Berthiaume) passed 4/0 by roll call: Berthiaume-yes; Hicks-yes; Monette-yes; Woodbury-yes

Town Administrator's Report

Mr. Gregory discussed the process for the FY2021 Budget with Town Counsel in the event an Annual Town Meeting cannot be held in June. The DOR has advised communities to submit a 1/12 budget for July if the meeting does not take place. He will have a budget for the Board to review and act on at the June 1st meeting and a plan to proceed with the 1/12th Budget until Town Meeting votes to approve the FY2021 Budget.

Citizens Input

Jonathan Viner, 34 Donnelly Cross Road, asked the Board if it is prudent to negotiate the Town Administrator's contract at this time. Mr. Monette said Mr. Gregory's contract needs to be discussed and the Board will do so in Executive Session.

Request for Executive Session under Mass General Laws, Chapter 30A:
§21(a), ¶3: to discuss strategy with respect to collective bargaining for the Utilities & Facilities Bargaining Unit

Mr. Gregory indicated that an Executive session is not needed at this time.

§21(a), ¶2: to discuss strategy with respect to contract negotiations For Non-union Personnel (Town Administrator)

Dr. Hicks said since Chairman Pepe is absent, he prefers to wait until the next meeting when the full Board is present. The Board agreed.

A motion to adjourn at 7:38 pm (Hicks/Monette) passed 4/0 with a roll call vote: Berthiaume-yes, Hicks-yes, Monette-yes, Woodbury-yes

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: