



Minutes of the Meeting of the Board of Selectmen

Date: October 5, 2020
Time: 6:00 p.m.
Place: Audioconference Broadcasted Live from McCourt Social Hall
Memorial Town Hall, Spencer, MA
Present: Administrator Gregory, Chairman Hicks, and Clerk Howard
SEBRSD Superintendent Paul Haughey and Comptroller Gary Suter
Remote: Vice-Chair Woodbury, Members Berthiaume and Pepe
Fire Chief Parsons, Police Chief Darrin, and Moderator Shemeth

Chairman Hicks called the meeting to order at 6:03 p.m. and announced that 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 gatherings, 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 currently meeting with a combination of members present and remote. For this meeting, Chairman Hicks, and Clerk Howard are present and Members Berthiaume, Pepe, and Woodbury are remote, and as such, all votes will be taken by roll call in accordance with Regulation 940, CMR 29.10 of the Open Meeting Law.

Vote to approve the Meeting Minutes of September 14, 2020

Hold until the next meeting.

Announcement: Town Ordered Auction on October 29th at 1 pm

Dr. Hicks announced that a Town Auction is scheduled on October 19th. Details may be found on the Town's website.

Public Hearing 6:05 pm – Review & Act on the Application of Dustin Doray for a License to store Combustible Liquids (diesel fuel) at 17 West Main Street Under MGL Chapter 148, Section 13

Dr. Hicks opened the public hearing at 6:05 pm.

Mr. Gregory advised the Board that Dustin Doray is requesting a license to store 2,000 gallons of diesel fuel at 17 West Main Street. The application has been reviewed and approved by Chief Parsons and all is in order.

Chief Parsons met with Mr. Doray and said all requirements have been met. The double wall tank will be placed on a concrete pad.

Mr. Doray did not have any comments.

William Shemeth, 6 Dale Street asked if Chief Parsons is satisfied that all public safety measures have been met and is safe to proceed. Chief Parsons said all requirements have been met.

A motion to close the Public Hearing at 6:10 pm (Howard/Woodbury) passed with a roll call vote: Berthiaume-yes, Howard-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes

A motion to approve the placement of diesel fuel storage tank at 17 West Main Street (Howard/Woodbury) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes

Citizens Input

William Shemeth noted his safety concerns due to the Coronavirus and advised the Board not to allow traditional trick-or-treat.

Bob Cirba said he wants to see the Town Hall open to the public and noted that other communities have reopened. Dr. Hicks said it would be discussed later in the meeting.

Danielle Gebo wants to see a traditional Halloween with trick-or-treating.

Tatyana McAuely said the Open Space forum is scheduled for October 6th is being postponed and recommends the event be advertised when its rescheduled so citizens will be aware and can participate. Dr. Hicks said an advertisement should be placed in the New Leader when the forum is rescheduled.

New Business:

Discussion on the Revised/Final FY2021 SEBRSD Budget

SEBRSD Superintendent Paul Haughey and Comptroller Gary Suter were present to discuss the revised FY2021 Budget.

Dr. Haughey reported that they were able to reduce the SEBRSD Budget by \$300,000 through purchasing supplies in advance and repurposing some items. The savings to Spencer amounts to \$268,000. Mr. Suter noted significant savings resulted by the advance purchase of technology, teaching and janitorial supplies, and salary line adjustments. Kara Westerman worked to bring students back into the District resulting in substantial savings as well.

Dr. Hicks asked about reductions from DSEE with regard to Circuit Breaker and regional transportation funding. Mr. Suter said they have not heard from DSEE on any budget reductions, although funds are available in anticipation of reductions to Circuit Breaker.

Review & Act on the Request of the Exchange Club to conduct its Annual Toll Booth on November 7th, with a rain date of November 14th at the intersection of Main and Pleasant Streets from 9AM to 1 PM and at the Transfer Station from 8AM to Noon

A motion to approve the request of the Exchange Club to conduct its Annual Toll Booth on November 7th, with a rain date of November 14th at the intersection of Main and Pleasant Streets from 9AM to 1 PM and at the Transfer Station from 8AM to Noon (Howard/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Hicks-yes, Woodbury-yes.

Review & Act to Appoint CMRPC Delegate and Alternate Delegate for FY2021

Mr. Gregory indicated that Jonathan Viner was the Board's appointed delegate in FY20 and wishes to continue. Former Selectman Monette was the alternate and he is not able to continue.

Selectman Howard said he is willing to serve as the alternate member.

A motion to appoint Jonathan Viner as the CMRPC Delegate and John Howard as the CMRPC Alternate member (Woodbury/Berthiaume) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes

Review & Act on Request to Notify Charter to Resume Broadcasting of Sunday Mass at Saint Paul's Cathedral in Worcester

Dr. Hicks recently learned that the broadcasting of the Sunday Mass at Saint Paul's Cathedral in Worcester was being dropped by Charter and noted his concern for elderly folks who rely on that broadcast, especially during COVID-19. Mary Braney pointed out that Spencer Cable Access (SCA) is broadcasting Sunday services on channel 194. Aaron Keyes said SCA has not started broadcasting the Worcester Sunday Mass yet. At this time, Mary Queen of the Rosary and First Congregational services are being broadcast.

Update on 51 Borkum Road Zoning Compliance Matter

Mr. Gregory reported that the Building Inspector issued a Cease and Desist Order due to noncompliance at 51 Borkum Road and advised the property owner to apply for a Special Permit to request permission for this type of use.

Dr. Hicks said he is seeing a pattern with people doing what they want and then seeking permission after the fact. He is committed to putting a stop to this

Mr. Woodbury mentioned that tractor trailer trucks caused damage to the newly asphalted road and asked what the recourse is to repair the damage. Mr. Gregory said if conditions issued by the Planning Board or Zoning Board are not followed, the issue becomes a non-criminal disposition, which the Town is able to enforce.

Review and Act on Coronavirus / COVID-19 Response

Dr. Hicks noted his concern with COVID numbers starting to increase and warnings by scientists of a second wave of the virus.

Health Agent Daoust reported that there are currently 102 confirmed Coronavirus cases with 13 active at this time. Restaurants and stores have been working hard to follow the safety protocols and guidelines.

Discussion on Town Hall Re-Opening and Possible Action

Dr. Hicks has had several people contact him and request that the Town Hall be reopened to the public. He pointed out that the public can meet with anyone at Town Hall by making an appointment and does not want the building to reopen until after the November 3rd election. When it is reopened a cleaning company or temporary custodian can be hired to disinfect several times per day and proper safeguards will be put in place. He asked the Administrator to form a committee to discuss what is needed to reopen safely. Greeters could be stationed at the east and west side entrances to take names and addresses for contract tracing, take temperatures and provide sanitizer and masks. Funds from the Cares Act can be used to cover the costs. Mr. Gregory will provide an update at a future meeting.

Old Business:

Review & Act on Nominations for the Cable Advisory Committee (CAC) Members to Assist with the Renewal of the Charter Communications Franchise Agreement set to expire on January 31, 2023

Dr. Hicks wants to have a request for CAC volunteers placed on the marquee, website and in the New Leader. The Board will make appointments at the November 9th meeting.

Discussion on Halloween and Possible Action

Chairman Hicks expressed concern that residents from communities not having a traditional Halloween will come to Spencer and some are in the red zone for Coronavirus cases.

Health Agent Daoust said bags of candy could be lined up for children to pick out to limit direct contact. Some communities are allowing the public to decide if they want to participate in a traditional Halloween.

Mr. Pepe noted that the CDC considers going door-to-door a higher risk activity and instead recommends leaving candy on the steps.

Ms. Berthiaume said it is a difficult decision on whether to allow trick-or-treat; on one hand toll booths have been approved, which makes it hard to say no to trick-or-treat. Mr. Howard and Mr. Woodbury agreed that it is a difficult decision.

Chief Darrin suggests setting up porch bags to limit contact and expand the timeframe from one hour to two hours.

The Board will decide at next meeting.

Discussion on Double Utility Poles on Meadow Road and Possible Action

Mr. Gregory notified National Grid representative Carl Hartwig of the Board's concerns relative to double poles. Mr. Hartwig said he will work with the U & F Superintendent and the Administrator to get the double pole issue resolved.

Mr. Woodbury said there are some areas with three poles grouped together and until this is resolved, he will not vote to allow National Grid to set another pole in Town. Mr. Pepe said the procedure used in the past needs to be reinstated. Mr. Gregory will provide an update at the next meeting.

Update on 17 G.H. Wilson Solar Project

Mr. Gregory said the as-built plans are being reviewed at this time. The plans the Planning Board received only showed pads, not batteries. The Building Inspector advised the Developer to submit the correct plans so the Planning Board can make a decision.

Mr. Woodbury asked if an occupancy permit has been signed for this location and for 103 North Spencer Road. Mr. Gregory will confirm.

Update on 103 North Spencer Road Solar Project

There are no new updates at this time. There was some discussion on sheds at this location. Mr. Woodbury will visit the site to inspect.

Update on North Brookfield Road Solar Project

This project will be on the Planning Board's October 20th agenda to request Site Plan Approval extension.

Town Administrator's Report

Review Draft Special Town Meeting Warrant for November 12, 2020 & Detailed FY2021 Budget Adjustment

Mr. Gregory reported the net new growth number for FY2021 came in at \$368,000. He recommends appropriating the additional revenue to fund one-time use expenses.

Mr. Gregory reviewed the November 12th draft Special Town Meeting Warrant which consisted of 16 Articles. Discussion items include:

Article 2 - new funding for tuition and transportation for a Smith Vocational student.

Article 12 - capital expenditures in the amount of \$285,715 will be reduced to retain funds on reserve. The Library HVAC upgrade in the amount of \$170,000 may be removed and instead will follow the process used for the Senior Center Project. The \$14,000 for voting booths will be removed based on the recommendation of Interim Town Clerk Lisa Johnson and facilities staff member Jonathon Stehr confirmed that the existing booths are in good working order.

Articles 15 and 16 –placeholders for a potential solar moratorium and/or solar bylaw amendments and will be finalized after the Planning Board public hearing.

Review Special Town Meeting (STM) Calendar

The calendar outlining key dates leading up to the November 12th STM was reviewed.

Citizens Input

Matt Defosse, Pauls Drive, referenced Planning Board meeting minutes where a variety of questions were asked relative to solar projects, including the G.H. Wilson location. He questioned the legality of the N. Brookfield Road project and said there should be no extension to the new owners. He also noted that solar development contradicts the Open Space Plan goals.

Tatyana McAuley, McCormick Road, explained that the SBAC Report can be broken down to reference specific sections of the bylaw. She offered several suggestions including developing bylaws for hazardous materials and disposal of solar panels and equipment. She pointed out there are invisible expenses incurred by the Town for solar projects consisting of staff time and legal costs.

Treasurer/Collector Rebecca Forand clarified that her Office recommends residents do not pay cash at the door, and instead pay bills online or by mail. Dr. Hicks said not everyone has a checking account and money orders can be cumbersome.

Sewer Commissioner Frank White said that rate payers on water and sewer are getting a double tax in his opinion and noted his concerns with the sewer issue for the Sugden Block project.

Board Member and Staff Comments

Dr. Hicks wants to consider providing annual legal funds to the Water and Sewer Departments.

A motion to adjourn (Howard/Woodbury) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes

The meeting adjourned at 9:04 pm.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: Auction Flyer, Fuel License Application, SEBRSD Revised Budget, Charter Franchise Agreement/CAC, STM Warrant