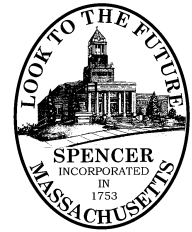


## Minutes of the Meeting of the Board of Selectmen



Date: November 23, 2020  
Time: 6:00 p.m.  
Place: Audioconference Broadcasted Live from McCourt Social Hall  
Memorial Town Hall, Spencer, MA  
Present: Chairman Hicks, Vice-Chair Woodbury, Clerk Howard, Administrator Gregory  
and Assessor Linda LeBlanc  
Remote: Members Berthiaume and Pepe; Health Agent Daoust, Police Chief Darrin

Chairman Hicks led the Pledge of Allegiance and called the meeting to order at 6:00 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, Vice-chair Woodbury and Clerk Howard are present and Members Berthiaume, Pepe, and 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.

### **Review and Act on Meeting Minutes of November 9, 2020**

*A motion to approve the meeting minutes of November 9, 2020 (Woodbury/Howard) passed with a roll call vote Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

Dr. Hicks pointed out that a motion passed at the November 9<sup>th</sup> meeting which prohibited parking of commercial vehicles in the municipal parking lot on Mechanic Street and since many pick-up trucks are considered commercial, he suggests allowing a 1-ton vehicle limit. The Board will review and act at the next meeting.

### **Citizens Input**

None

### **New Business:**

#### **6:00 p.m. – Tax Classification Public Hearing – Review & Act on the Tax Classification for FY2021**

The Public Hearing opened at 6:05 pm

Principal Assessor Linda LeBlanc was present to discuss the FY2021 Tax Classification process.

Chairman Hicks called a short recess at 6:10 pm due to tech difficulties with the live cable broadcast. The Hearing reconvened at 6:20 pm.

Principal Assessor Linda LeBlanc presented four options for the FY 2021 Tax Classification which include: 1) Minimum Residential Factor/Single or Split Tax Rate; 2) Open Space Discount; 3) Residential Exemption; and 4) Small Commercial Exemption.

Dr. Hicks asked how many communities utilize a split commercial tax rate. Ms. LeBlanc said approximately thirty percent.

Mr. Woodbury pointed out that Auburn had a split tax rate in the past and are now shifting it back to a single tax rate.

There were no other comments or questions from the Board.

William Shemeth 6 Dale Street stated that the Town has consistently maintained a single residential tax rate and he recommends it continue. Dr. Hicks said he prefers the single tax rate as it is shared across the board.

The Hearing closed at 6:29 pm.

*A motion to adopt a single tax rate for FY2021 (Woodbury/Berthiaume) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

**Review and Act Review on Right of First Refusal for MGL Chapter 61A Land (1.42 acres) owned by Gregory R. Kimball on 50 Donnelly Road identified as R35-17**

Mr. Gregory reported that the Conservation Commission voted not to recommend that the Town exercise their right on this parcel.

Attorney Nelson Ezen called in explain that George Kimball has an agreement to sell a portion of the property to an individual who plans to build a residence in the future. The property is at 50 Donnelly Road with frontage on Donnelly Cross Road, which is the piece is being released from Chapter 61A.

*A motion to waive the Right of First Refusal for MGL Chapter 61A Land, (1.42 acres) owned by Gregory R. Kimball on 50 Donnelly Road identified as R35-17 (Pepe/Berthiaume) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

**Review and Act on Traffic / Pedestrian Signals at Main and Pleasant Streets**

Dr. Hicks said he saw a pedestrian lying in the road after being hit by a car in a crosswalk at the intersection of Main and Pleasant Street and he wants to discuss safety concerns at this location.

Erin Thompson, Traffic Engineer with VHB is a consultant for the Town. She dialed in to report that the traffic signal at Main and Pleasant Streets has concurrent phasing, which allows pedestrians to walk with parallel traffic and reduces delays for both. There are three options to consider: 1) retain existing concurrent phasing and educate the public; 2) switch to an exclusive phase which will result in traffic backups; or 3) retain existing concurrent phasing and implement a four second pedestrian head start.

*A motion to have a thirty-second exclusive phase delay (for Main & Pleasant St. intersection) for a six-month trial period (Howard/Berthiaume) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

### **Review and Act on Coronavirus / COVID-19 Response**

Dr. Hicks noted his concern with the increasing Coronavirus case numbers in Town.

Health Agent Daoust reported there have been 173 confirmed cases with 35 active; part of the increase is due to additional testing. Spencer is currently in the yellow range, therefore the State will monitor the cases. The stay-at-home advisory remains in effect from 10 pm to 5 am and face coverings are required both indoors and outdoors.

Mr. Pepe asked about the hospitalization rate for Spencer residents. Ms. Daoust will find out and report back.

### **Review & Act on Request to Open Vestibule at the Utilities and Facilities Office (3 Old Meadow Road)**

Dr. Hicks noted that the vestibule in the Water Department building is encased in glass and is a secure area. He suggested having someone routinely clean the door handle; Mr. Gregory will discuss with the staff. Mr. Pepe suggested having signage indicating only one person at a time may enter.

Highway Foreman Eben Butler mentioned that the employees at the Water Department have requested to have the area open to better assist the public.

*A motion to allow the vestibule to open, subject to safety guidelines and signage, with only one person entering at a time (Woodbury/Howard) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes, Hicks-yes*

### **Old Business:**

### **Review and Act on Annual License Renewals for Calendar Year 2021: Lodging House for SMOC 126 and 204 Main Street**

Mr. Gregory referenced a report of Police Department calls to these locations and noted that the numbers have decreased at 126 Main and are up at 204 Main. He noted that repairs to

204 Main have been made since the fire and the tenants have been allowed to reoccupy the unit.

Mr. Pepe said the police calls have improved at the lodging house units; the concern is with the Bixby Road area. Chief Darrin said with this type of housing there are some issues. Bixby Road is a SMOC owned facility being operated by a property management company. Mr. Pepe would like to invite SMOC representatives to the next meeting to discuss vetting the tenants and reducing police calls to these facilities.

*A motion to approve the Lodging House license renewal for 126 and 204 Main Street (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes, Hicks-yes*

#### **Review and Act on Annual License Renewals for Calendar Year 2021: Junk Dealer for J & M Coins & Collectables 104 Main Street**

*A motion to approve the Junk Dealer license renewal for J & M Coins and Collectables (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes, Hicks-yes*

#### **Review and Act on Overnight Parking in the Mechanic Street Municipal Parking Lot**

Mr. Gregory noted that since the municipal lot opened, at least twelve vehicles have been parking there overnight. Mr. Pepe said the purpose of the lot is to provide parking for commerce in Spencer.

*A motion to ban overnight parking from midnight to 6 am in the Mechanic Street municipal parking lot (Pepe/Woodbury) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes, Hicks-yes*

#### **Review and Act 24 Mechanic Street Parking Request**

Mr. Gregory received a call from a resident that the parking restriction on the westerly side of Mechanic street is a problem for his distribution company. Marc Julian, 24 Mechanic Street called in to explain that he has a wholesale distribution business and the loading doors to the vans are on the roadside, creating a safety issue. He would like to have a dedicated parking/unloading zone to improve safety with a 15-minute time limit. The Board will take the request under consideration and ask Chief Darrin to weigh in at the next meeting.

#### **Review & Act on Nominations for Cable Advisory Committee Members to assist with the Renewal of the Charter Communications Franchise Agreement set to expire on January 31, 2023**

Mr. Gregory reported that six individuals volunteered to serve on the seven-member committee: Pat George as private internet user member, Pamela Woodbury as elderly

community member, Matt Dicheio and Danielle Gebo as citizens-at-large members, Aaron Keys as the Spencer Cable Access Member, and Elizabeth York as the Spencer- East Brookfield Regional School District Committee member. There is one spot remaining for a member of the Finance Committee and they will decide on their member at the next meeting.

*A motion to appoint the six individuals (Pat George, Pam Woodbury, Matt Dicheio, Danielle Gebo, Aaron Keyes and Elizabeth York to the Cable Advisory Committee (Woodbury/Howard) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

### **Review & Act on 51 Borkum Road Zoning Matter**

Mr. Gregory reported that the Planning Board voted to deny the Special Permit for this location. A written Decision will be provided to the applicant who will then have twenty days to appeal.

### **Town Administrator's Report:**

#### **Special Town Meeting Wrap-up**

Mr. Gregory reported that all Warrant Articles passed at Town Meeting. Interim Town Clerk Lisa Johnson filed the Solar Moratorium Article with the Attorney General's Office.

#### **Update on U & F Superintendent Position Opening**

Interviews will be scheduled after Thanksgiving break.

#### **Update on ODIS Director/Town Planner Position Opening**

Mr. Gregory noted that the position was readvertised with the ODIS Director title removed. The salary range remains the same. The screening committee is revising interview questions and CMRPC will continue to assist until January 15<sup>th</sup>.

#### **Preliminary Discussion on FY21 Town Administrator Goals**

Mr. Gregory submitted his draft goals for December 2020 through April 2021 which include: Budget Preparation and Rebuilding for FY2022; Downtown Revitalization; Organizational Structure and Operational Efficiencies through Regionalization; and Implement Strategies to Strengthen Permitting Procedures.

Dr. Hicks would like to see the reestablishment of the Disability Committee a priority in the coming year. Mr. Woodbury said it has been difficult to get volunteers and that this item should not be part of the Administrator's goals. He will work on this and suggested the Board seek out volunteers.

Mr. Pepe said he supports the goals as presented and applauded the Administrator for prioritizing the hiring of a new Town Planner.

### **Citizen's Input**

Bob Daniels, Borkum Road thanked the Board for their involvement with the Borkum Road Special Permit.

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

Mr. Pepe noted that the current projects for CVS and the Women's Institute are important for Downtown growth and to move the Town forward.

Mr. Woodbury said the Board is in support of the CVS project and believes it is moving in the right direction.

Dr. Hicks offered his thanks to all involved with making the Special Town Meeting operate smoothly, including the Fire Department, Corey Lacaire, Jean Mulhall, and the SEBRSD.

### **Adjournment**

*A motion to adjourn at 8 pm (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

The meeting adjourned at 8:00 pm.

Respectfully submitted,

Brenda Savoie  
Executive Assistant

Referenced documents: Tax Classification Presentation, Right of First Refusal, License Renewals, Mechanic St. Parking Request, TA Goals