



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

Date: December 14, 2020  
Time: 6:00 p.m.  
Place: Audioconference Broadcasted Live from McCourt Social Hall  
Memorial Town Hall, Spencer, MA  
Present: Administrator Gregory  
Remote: Chairman Hicks, Vice-Chair Woodbury, Clerk Howard, Members Berthiaume  
and Pepe; Health Agent Daoust, Police Chief Darrin, Fire Chief Parsons

Chairman Hicks 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 remotely 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 23, 2020 and Executive Session of November 12, 2020**

*A motion to approve the meeting minutes of November 23, 2020 (Pepe/Woodbury) passed with a roll call vote Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

*A motion to approve the executive session November 12, 2020 (Woodbury/Howard) passed with a roll call vote Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

### **Citizens Input**

Matt Defosse, Paul's Drive asked about the status of the Solar Moratorium. Mr. Gregory said they are awaiting approval from the Attorney General's Office.

Nadine Morrissey, Main Street, called to express concerns with making the turn from Main Street onto School Street and the difficulty her tenants face while trying to back out of the driveway during winter snow events. She requests that parking not be allowed on either side of School Street for 150 feet to 3 School Street. Dr. Hicks said there is currently parking on the odd side of the street only and clarified the request is for no parking on either side of the street for up to 150 feet. This request will be considered with other parking discussion items on the agenda.

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

Dr. Hicks said he has serious concerns with the increasing COVID-19 cases. The Spencer Highway Department staff is in quarantine and there are multiple confirmed cases of COVID-19. Fortunately, qualified plow operators are willing to step-in to provide coverage for plowing and sanding.

Health Agent Daoust reported that there have been 261 confirmed cases with 51 active cases; the State has reverted to Phase 3, Step 1 of the Reopening Plan; and masks must be worn in restaurants, except while eating and drinking. Inspections for businesses are going well with minimal complaints.

Mr. Gregory re-implemented the rotational work for home schedule for municipal employees to allow for a minimal number of employees staffing Town Offices. The Town Clerk's Office is temporarily closed due to COVID.

### **New Business:**

#### **Discussion with SMOC on the Bixby Road Development**

SMOC representatives Grant Buchanan, Darlene Mazuerk, Joe Fletcher and Ginny Givens dialed-in to the meeting.

Mr. Pepe indicated that SMOC worked with the Police Chief relative to incidents in their housing units in the past and wants to discuss ways to mitigate the increase in police calls to the Bixby Road location and to minimize the risk to public safety.

Mr. Buchanan said it is a concern for SMOC as well and in the past they have had meetings with the Spencer Police. Ms. Mazuerk said she had been meeting with Lieutenant Befford prior to COVID-19 and indicated that they will determine the issues and turn it around. Mr. Buchanan said they are aware of the challenging clientele and are working to turnover higher maintenance residents.

Dr. Hicks asked if CORI checks are completed for prospective tenants. Ms. Givens said everyone over the age of eighteen is required to pass a CORI. Mr. Buchanan noted that often issues occur with visitors or someone who moved in with the tenant after the fact.

Mr. Fletcher mentioned that prior to the COVID-19 Pandemic, onsite support was available two days per week and that has since stopped.

Mr. Woodbury pointed out that calls to 126 Main Street have decreased. Mr. Pepe noted that calls to SMOC's other two properties have decreased and wants to maintain an open dialogue between SMOC and Lieutenant Befford and continue with the vetting process and turnover of challenging residents at the Bixby Road locations.

#### **Review & Act on Request to add Snowplow Rate for Backhoe with 11-foot Plow for \$135/per hour**

Mr. Butler reported that the Highway Department has an opportunity to hire an 11-foot backhoe plow and requests that the Board approve a snowplow rate of \$135 per hour for an 11-foot backhoe plow.

*A motion to approve the backhoe with 11-foot plow at the rate of \$135 / hour (Pepe/Woodbury) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes, Hicks-yes*

### **Review & Act on No Parking Signage at the intersection of School and Main Street**

Mr. Woodbury noted that the Town Bylaw prohibits parking withing a certain number of feet of an intersection and the requested change to increase to 150 feet cannot be done without revising the Bylaw. Police Chief Darrin noted that the Town Bylaw prohibits parking within 20 feet of an intersection and pointed out that the Winter Parking Ban is only in effect overnight. Dr. Hicks said prohibiting overnight parking will alleviate some of the issues.

Mr. Butler said the 150-foot parking ban for that area is excessive.

Mr. Gregory noted that the Board enacted the Winter Parking Ban and can make amendments.

*A motion to amend the Winter Parking Ban by prohibiting parking on the odd numbered side of the street beginning at Main Street and extending north 150' to School Street (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

### **Review & Act on Request for Overnight Parking in the Mechanic Street Municipal Parking Lot**

Mr. Gregory explained that since the Board voted to prohibit overnight parking in the Mechanic Street municipal parking lot, residents have called requesting that the decision be reconsidered.

Dr. Hicks noted that it is difficult for tenants to find a place to park their vehicles overnight.

Mr. Woodbury said he stands behind the decision and that it is the responsibility of the property owner to provide tenant parking.

Chief Darrin indicated there will be a learning curve with the new restrictions. Warnings notices are being placed on vehicles to educate the public.

Appleblossoms asked for permission to have an overnight parking spot in the municipal lot. Mr. Woodbury noted that such an approval would set a precedent and defeat the purpose of the parking restrictions. No action was taken on this request.

### **Review & Act on Requests for Loading Zones on Mechanic Street**

Mr. Gregory indicated that there are two specific requests for loading zones on Mechanic Street; one from Mr. Julian of 24 mechanic and the other from Ms. Shamonian, owner of Appleblossoms. He advised the Board to be mindful of the precedent of creating specific loading zones could set for other businesses on the street. The parking restriction was added to allow safe passage of emergency vehicles and snowplows, and the municipal

parking lot was added to provide parking for businesses. Dr. Hicks said a solution may be to install signage stating commercial loading and unloading is allowed with a ten-minute time limit. Mr. Woodbury noted that loading/unloading is already allowed and creating a personal loading zone may cause others to want to do the same and risk the return of overcrowding on the street.

Paul Shamoian, owner of Appleblossoms called in to say the request for a loading zone is for the safety of the delivery drivers. Joe Beauvais, former owner of Appleblossoms said the concern is that wholesalers are being turned away while trying to load/unload and suggests marking a loading zone on the western side from the corner of Main Street for safety.

Mr. Pepe said having a loading zone with a time limit is a good idea.

Chief Darrin said he is not in favor of adding a loading zone, however asked the Board to be specific if they do act to approve and that the zone be twenty feet in on Main Street.

*A motion to create a 20-minute commercial loading zone on Mechanic Street at the intersection of Main Street (loading zone to start at least 20' away from the intersection) (Pepe/hicks) passed 3/2 with a roll call vote: Berthiaume-yes, Pepe-yes Howard-no, Woodbury-no. Hicks-yes*

Mr. Julian, 24 Mechanic Street said he has the same issues and concerns as Appleblossoms and also needs a dedicated loading zone at 24 Mechanic Street. He noted it may help the Spencer Pizza House as well. Mr. Butler pointed out that adding a loading zone in this location will defeat the purpose of the recent parking ban on one side of the street. Chief Parsons agreed that allowing a loading zone will defeat the purpose of making the change to prohibit parking on one side. There was no action taken on this request.

### **Old Business:**

#### **Review and Act to Reconsider 30-second Pedestrian Phase for Traffic Signals at Main and Pleasant Streets**

Chairman Hicks reported that the recent vote of the Board to increase the time to 30-seconds for pedestrian crossing at the intersection of Main and Pleasant Street has created some concerns. Mr. Gregory pointed out that increasing the phase to 30-seconds will create longer traffic cues in both the east and west bound lanes on Main Street and create traffic volume issues. There is some expense involved in switching the equipment and he wanted the Board to be aware of the consequences of this decision prior to authorizing the change.

Mr. Woodbury pointed out that the average time to cross that street is sufficient and with the CVS project coming to fruition, traffic will likely increase and create significant backups on Main and Pleasant Streets. He wants to reconsider the vote taken on November 23<sup>rd</sup>.

*A motion to rescind the vote (taken on November 23<sup>rd</sup>) to implement a 30-second exclusive pedestrian signal phase at Main and Pleasant Streets (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

*A motion to allow traffic lights to remain as they are (Woodbury/Berthiaume) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

No action was taken to modify the pedestrian signal phase at this intersection. It shall remain a non-exclusive pedestrian crossing.

### **Review and Act to Allow Commercial Vehicle Parking in the Mechanic Street Municipal Parking Lot with a Limit of 1-ton**

There was some discussion on how to designate the weight limit and how to patrol it. Mr. Butler noted that the current signage prohibits box trucks from parking in the lot and he is satisfied with that.

### **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**

Finance Committee member Nancy Tame has agreed to serve on the Cable Advisory Committee.

*A motion to appoint Nancy Tame to the Cable Advisory Committee (Howard/Woodbury) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes, Hicks-yes*

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

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

The U & F Superintendent Screening Committee has begun the interview process.

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

Mr. Gregory reported that the Screening Committee has been very active and has a promising candidate. He expects an appointment will be filed with the Board at their December 28<sup>th</sup> meeting.

#### **Review & Act on FY2021 Town Administrator Goals**

Mr. Gregory submitted goals his final goals for FY2021 and asked the Board to take action.

*A motion to accept the Town Administrator Goals as submitted (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

## **Review 2021 Board of Selectmen's Calendar**

The calendar was reviewed.

*A motion to accept the 2021 Calendar (Woodbury/Pepe) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

## **Citizen's Input**

Jonathon Viner, Donnelly Cross Road asked for update on Donnelly Cross Road driveway work. Mr. Gregory said Highway Foreman Eben Butler is looking into his concerns. Mr. Butler said he already provided Mr. Viner with an answer to his concern with the Donnelly Cross Road driveway and that Mr. Viner was not satisfied with the response.

## **Board Member and Staff Comments**

Dr. Hicks restated his concerns with the Coronavirus pointing out that fifteen employees are in quarantine at this time and the Town Clerk's Office is temporary closed.

Mr. Pepe thanked Steven Tyler and Ian McEwee for their assistance during this time while the U&F Superintendent and Town Planner positions are vacant.

## **Adjournment**

*A motion to adjourn at 8:40 pm (Pepe/Howard) passed with a roll call vote: Berthiaume-yes, Pepe-yes Howard-yes, Woodbury-yes. Hicks-yes*

The meeting adjourned at 8:40 pm.

Respectfully submitted,

Brenda Savoie  
Executive Assistant

Referenced documents: Mechanic St. Parking Request, TA Goals, 2021 Meeting Calendar