



Minutes of the Meeting of the Board of Selectmen

Date: February 8, 2021
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.
Also remote: Health Agent Daoust, 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 January 28, 2021

A motion to approve the meeting minutes and executive session of January 28, 2021 (Pepe/Howard) passed 5/0 with a roll call vote: Berthiaume- yes, Hicks-yes Howard-yes, Pepe-yes, Woodbury-yes

Citizens Input

None

Review and Act on Coronavirus / COVID-19 Response

Health Agent Daoust provided the following updates:

- There are currently 641 confirmed Coronavirus cases in Spencer, with 37 active cases.
- She is waiting for approval from the public health nurse on when vaccines will be available; the biggest issued at this time is the lack of availability.
- A limited number of vaccines will be available at Big Y in February.
- She will research the potential for a local vaccine call center.

Dr. Hicks noted concerns with some restaurants exceeded the 25% capacity limit and asked Ms. Daoust to ensure capacity is being followed.

Chief Parsons noted there is a plan in place to hold a vaccine clinic at DPHS as soon as vaccines are available. Howe Village residents are being vaccinated by Big Y on Feb. 23rd.

Old Business:

Review and Act Right of First Refusal for MGL Chapter 61A Land (13.60 acres) owned by Mike and Michelle McGourty on Hastings Road, identified as R43, Parcel 16-1

Administrator Gregory reported that the Conservation Commission voted on January 13th to recommend that the Board of Selectmen not exercise the Right of First Refusal for this parcel.

Attorney Maloney, representing the property owners Mike and Michelle McGourty, reported that a Purchase and Sale has been issued and at this time, they would like to move forward with the sale. He acknowledged that some activity occurred on property prematurely which resulted in a stop work order being issued by Conservation Commission. The seller and purchaser will work out any violations to meet the Order of the Conditions.

Mr. Woodbury said he was frustrated that work was done on the property prior to the owners obtaining permits; the Town should have been contacted prior to any work being done. Attorney Maloney said he was not aware this activity occurred and he would not have allowed it.

A motion to approve Right of First Refusal for MGL Chapter 61A Land (13.60 acres) owned by Mike and Michelle McGourty on Hastings Road, identified as R43, Parcel 16-1 (Pepe/Howard) passed 5/0 with a roll call vote: Berthiaume- yes, Hicks-yes Howard-yes, Pepe-yes, Woodbury-yes.

Review & Act on the Request to Appoint Interim Appointment Board of Health Member; Consider Statements of Interest from Jennifer Konisky and Jesselyn Gaucher

Mr. Gregory received a resignation for longtime Board of Health Member Lee Jarvis, which leaves two vacancies on the Board. Jennifer Konisky and Jesselyn Gaucher are interested in being appointed to serve until the Annual Town Election in May and the Board of Health has recommended that both candidates be appointed.

A motion to Appoint Interim Appointment Board of Health Members Jennifer Konisky and Jesselyn Gaucher (Woodbury/Pepe) passed 5/0 with a roll call vote: Berthiaume- yes, Hicks-yes Howard-yes, Pepe-yes, Woodbury-yes.

Review & Act to Purchase Two Additional GoTo Meeting Licenses

Administrator Gregory advised the Board that he would like to move forward with the purchase of two additional licenses for the GoTo Meeting platform: one for ODIS and the other for the U & F Office. The licenses may be purchased thorough the CARES Act.

A motion to approve the purchase of two additional licenses for ODIS and U & F (Pepe/Berthiaume) passed 5/0 with a roll call vote: Berthiaume- yes, Hicks-yes Howard-yes, Pepe-yes, Woodbury-yes.

New Business

Meritorious Service Award

Mr. Gregory announced that in accordance with the Board's policy on the Meritorious Service Award, nomination forms are on the website and will be posted through the February 24th deadline.

Leadership Hall

Mr. Gregory noted that the policy for the Leadership Hall award provides the Board with the opportunity to decide if they wish to move forward with a recipient for this occasional award.

Lake Street School RFP

Mr. Gregory noted that the 99-year Option to Lease agreement was signed by the Board of Selectmen and the Women's Institute for Housing & Economic Development in 2019, which governs all laws were followed and a binding agreement was created when the Town and the Developer signed the Lease. Town Counsel reviewed the document and advised it is a recordable instrument and binding agreement, enforceable by the Women's Institute.

Review & Act to Open the May 6, 2021 Annual Town Meeting Warrant

A motion to Open the May 6, 2021 Annual Town Meeting Warrant (Pepe/Howard) passed 5/0 with a roll call vote: Berthiaume- yes, Hicks-yes Howard-yes, Pepe-yes, Woodbury-yes.

Town Administrator's Report:

FY2022 Budget & Capital Update

Administrator Gregory said he in the process of receiving departmental capital requests and asked the Board to consider two new positions: 1) a lead building maintenance technician to handle all scheduled maintenance and repairs for Town buildings. This union position is estimated at \$66,000 with salary and benefits; and 2) a part-time minutes clerk to assist fulltime staff in ODIS at the rate of \$16.00 per hour for approximately 12 to 15 hours per month; this is a nonunion position. Dr. Hick sees a need to increase the Senior Center Director hours by two additional hours and to restore hours to the Library. Mr. Pepe said he will support what the Administrator requests for operations.

Review FY2022 Budget Calendar

The updated calendar was reviewed.

FY2022 SEBRSD Preliminary Budget Update

Mr. Gregory received the SEBRSD preliminary budget numbers today and will provide an update to the Board by the end of the week.

Citizen's Input

Matt Defosse, Paul's Drive indicated he is in favor of the building maintenance technician position. He would like to see the Library open for additional hours and recognized their efforts to serve residents.

Mary Braney, Pine Acres, agrees the Library is important to community and provides services beyond book borrowing. The FMPC will conduct a town-wide survey to address capital, personnel, and infrastructure issues.

Jonathon Viner, Donnelly Cross Road, said the Building and Property Reuse Committee (BPRC) did not make a recommendation regarding the Lake Street School change in the RFP to lease the property. Mr. Gregory said the decision was made to lease, not to sell the property and after subsequent discussions between the Town and the Developer, the Board of Selectmen voted to have a 99-year lease, which is a legally binding agreement. Mr. Viner believes it should be brought before Town Meeting voters again. Dr. Hicks said the intent of the voters was to have senior housing at that location and that is what will happen. Attorney Damien Berthiaume, representing the Women's Institute pointed out that the original proposal was to remodel the existing building, however it became apparent it was more appropriate to demolish and reconstruct a new building due to limitations with the existing structure. A discussion between the Developer and the Town in October of 2019 presented a change of use and at this stage, bringing a proposal back to Town Meeting will significantly jeopardize the project. Dr. Hicks said he concurs.

Board Member and Staff Comments

The Board thanked Lee Jarvis for his dedicated service to the Board of Health and wish him well in the future.

Request for Executive Session under Mass General Laws, Chapter 30A: §21(a), ¶2, for the purpose of discussing Contract Negotiations for Non-union Personnel (Police Chief)

Chairman Hicks announced the purpose for the Executive Session per MGL, Ch. 30A, Sec. 21(a), ¶2, is for discussing contract negotiations for non-union personnel (Police Chief) and announced that the Board of Selectmen will not reconvene in open session.

At 8:22 pm motion to enter into Executive Session per M.G.L., Ch. 30A, Sec. 21(a), paragraph 2 for the purpose of discussing contract negotiations for non-union personnel (Police Chief) (Pepe/Berthiaume) passed 5/0 with a roll call vote: Berthiaume- yes, Hicks-yes Howard-yes, Pepe-yes, Woodbury-yes,

Adjournment

The meeting adjourned at 8:22 pm.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: Right of First Refusal for MGL Chapter 61A Land for McGourty; Board of Health Letter; Meritorious Service Award Policy; 99-year Lease for Lake Street School Property; FY2022 Budget