



Minutes of the Meeting of the Board of Selectmen

Date: April 26, 2021
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
Remote: Administrator Gregory, Health Agent Daoust
Ms. Berthiaume and Mr. Pepe were absent.

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 with a combination of members present and remote. For this meeting, the following members are present: Dr. Hicks, Mr. Woodbury and Mr. Howard, and the following members are remote: Mr. Pepe may dial in later, Ms. Berthiaume is absent, 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 April 12 and April 15, 2021

A motion to approve the meeting minutes of April 12 and April 15 (Woodbury/Howard) passed 3/0 with a roll call vote: Hicks-yes, Howard-yes, Woodbury-yes

Citizens Input

None

Review and Act on Coronavirus / COVID-19 Response

Health Agent Daoust reported:

- There are currently 848 confirmed Coronavirus cases in Spencer with 18 active
- The second vaccine dose for homebound residents will be done on May 10th
- Residents may contact Ms. Daoust if they need assistance booking an appointment, or log onto the Rutland vaccination site to book an appointment directly.

Old Business

Review & Act Request of Keith Kerrigan and Phillip Hardy to Withdraw Entertainment License for Terptown Throwdown Live Music/Art Festival & Reggae Cannabis Awards Event on August 20 & 21 of 2021 at the Spencer Fairgrounds (received approval on 8/17/2020 based on COVID conditions in April and June of 2021)

The Board provided a conditional approval to Keith Kerrigan and Phillip Hardy for this event in August of 2020 with the stipulation that the Applicants return in April to review the safety conditions with the Coronavirus. Dr. Hicks noted that a resident brought to his attention that Phillip Hardy posted racial comments on the Internet. In light of this, the resident requests Mr. Hardy be prohibited from holding any events in Spencer. Mr. Kerrigan informed the Board he had no prior knowledge of the postings and after learning about them, he terminated his partnership with Mr. Hardy and has since applied to the Office of the Secretary of State to remove his name from the Terptown organization. Mr. Hardy sent a letter resigning from Terptown, and Mr. Gregory said he is satisfied with Mr. Hardy's resignation from the business.

Mr. Kerrigan said he was disheartened by the comments and apologized to the Town. He confirmed he is no longer affiliated with Mr. Hardy in any capacity.

A motion to approve the request to Withdraw the Entertainment License for of Keith Kerrigan and Phillip Hardy of Terptown Throwdown for a Live Music/Art Festival & Reggae Cannabis Awards Event on August 20 & 21 of 2021 at the Spencer Fairgrounds (Howard/Woodbury) passed 3/0 with a roll call vote: Hicks-yes Howard-yes, Woodbury-yes

Review & Act to Appoint William Ross as Interim Town Administrator

Dr. Hicks reported that Mr. Ross served as the Interim Town Administrator for Spencer in 2017 and is willing to serve again. He is requesting a salary of \$2,000 per week and will work at the Town Hall on Mondays, Tuesdays, and Wednesdays. He will be available remotely on Thursdays and will attend meetings, as necessary.

A motion to appoint William Ross as Interim Town Administrator (Howard/Woodbury) passed 3/0 with a roll call vote: Hicks-yes Howard-yes, Woodbury-yes

Review & Act on Hiring Process for New Town Administrator

The Board agreed to interview Community Paradigm and Municipal Resources at a special meeting on May 3rd at 6 pm. Both firms submitted proposals for the new Town Administrator recruiting process.

Review & Act to Appoint Laura Torti as Temporary Town Clerk for the May 6, 2021 Annual Town Meeting

A motion to nominate Laura Torti as Temporary Town Clerk for the May 6, 2021 Annual Town Meeting (Howard/Woodbury) Hicks-yes Howard-yes, Woodbury-yes

Review & Act to Appoint Assistant Town Clerk Brynn Johnson as Interim Town Clerk from May 1, 2021 through June 30, 2021

Interim Town Clerk Lisa Johnson is leaving on April 30th and the newly elected Town Clerk with takeover on July 1st. Assistant Town Clerk Brynn Johnson agreed to step in to cover the Office for May and June.

A motion to appoint Assistant Town Clerk Brynn Johnson as Interim Clerk from May 1, 2021 through June 30, 2021 (Howard/Woodbury) Hicks-yes Howard-yes, Woodbury-yes

Review & Act on Polling Hours for the May 11, 2021 Annual Town Election

A motion to set polling hours for the May 11, 2021 Annual Town Election from 7 am to 7 pm (Howard/Woodbury) Hicks-yes Howard-yes, Woodbury-yes

Review & Act on Request for Confirmatory Vote on Pine Grove Cemetery Acquisition Non-Binding Ballot Question

Mr. Gregory reported that the original petition did not word the request as a question and has been clarified to reflect a yes or no vote.

Dr. Hicks normally recuses himself from business related to Pine Grove Cemetery, however since there will not be a quorum without his vote, Mr. Gregory advised him to vote under the Rule of Necessity.

A motion to accept the Confirmatory Vote on Pine Grove Cemetery Acquisition Non-Binding Ballot Question (Woodbury/Howard) Hicks-yes Howard-yes, Woodbury-yes

New Business

Review & Act Request of Keith Kerrigan for an Entertainment License for Terptown Throwdown Live Music/Art Festival & Reggae Cannabis Awards Event on August 20 & 21 of 2021 at the Spencer Fairgrounds

Mr. Kerrigan is requesting an Entertainment License solely in his name since Mr. Hardy is no longer affiliated with Terptown. The Board received a copy of the request submitted by Mr. Kerrigan to the Secretary of State for the removal of Mr. Hardy from Terptown.

A motion to approve the request from Keith Kerrigan of Terptown Throwdown for an Entertainment License for a Live Music/Art Festival & Reggae Cannabis Awards Event on August 20 & 21 of 2021 at the Spencer Fairgrounds (Woodbury/Howard) Hicks-yes Howard-yes, Woodbury-yes

Town Administrator's Report

May 6th Annual Town Meeting Update

Mr. Gregory reported that the Town received a 75% construction cost estimate from the engineer under contract to oversee the design and construction of the Library HVAC project, which increased the original number by \$66,488. He advised the Board to reopen the Annual Town Meeting Warrant and amend Article 32 to increase by \$66,488 and reduce Article 15 by the same amount.

Mr. Gregory also advised the Article 34 is being reconsidered by the Conservation Commission who will meet on April 28th to review further.

A motion to reopen the May 6th Annual Town Meeting Warrant (Woodbury/Howard) passed 3/0 with a roll call vote: Hicks-yes, Howard-yes, Woodbury- yes.

A motion to amend Warrant Article 32 (Capital Equipment Purchases) by increasing the amount by \$66,488 to a new total of \$708,351 and to come from available free cash (Woodbury/Howard) passed 3/0 with a roll call vote Howard-yes, Hicks-yes, Woodbury-yes.

A motion to amend Warrant Article 15 (Stabilization Fund)by reducing the free cash appropriation by \$66,488 to fully fund the Library HVAC project to a new total of \$20,994 (Woodbury/Howard) passed 3/0 with a roll call vote Howard-yes, Hicks-yes, Woodbury-yes.

A motion to close the May 6th Annual Town Meeting Warrant passed 3/0 with a roll call vote Howard-yes, Hicks-yes, Woodbury-yes.

Citizen's Input

Kurt Norquist, Gale Drive, asked about allowing in-person meeting attendance for folks who have been vaccinated. Dr Hicks advised that meetings are not open for in-person attendance at this time due to occupancy limitations. Mr. Norquist also expressed concerns about HVAC vandalism at the Library.

Select Board candidate Jared Grigg asked the Board to consider waiting until after the May 11th Annual Town Election before hiring the Interim Town Administrator. Dr. Hicks said Mr. Ross is available now and has served the Town as the Interim in 2017; the Board is moving forward now.

Select Board candidate Danielle Gebo asked about reserving a seat to attend the Select Board meeting in-person.

Board Member and Staff Comments

Dr. Hicks asked Board Members to contact him with any motion requests for specific Warrant Articles.

Interim Town Clerk Lisa Johnson thanked the Board for providing her the opportunity to serve as the Interim Town Clerk for Spencer. Dr. Hicks thanked Ms. Johnson and said it was a pleasure to work with her. The Board agreed and wished her the best in her new position.

Adjournment

At 7:15 pm a motion to adjourn (Howard/Woodbury) passed 3/0 with a roll call vote: Hicks-yes, Howard-yes, Woodbury-yes

The meeting adjourned at 7:15 pm.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: Pine Grove Cemetery Citizens Petition; Terptown Throwdown Applications; ATM Warrant; Community Paradigm and Municipal Resources proposals