

Minutes of the Meeting of the Board of Selectmen

Date: April 11, 2022
Time: 6:00 p.m.
Place: McCourt Social Hall
Memorial Town Hall, Spencer, MA
Present: Chairman Woodbury, Vice-Chair Howard, Clerk Grigg, and Member Hicks, Pepe and Town Administrator Jeffrey Bridges

Chairman Woodbury called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Announcement Any members that are participating remotely in accordance with Regulation 940, CMR 29.10 of the Open Meeting Law

None

Meeting Minutes:

Review and Act on Meeting Minutes of March 28, 2022

A motion to approve the minutes of March 28, 2022 (Hicks/Pepe) passed 4/0. Selectman Howard abstained

Citizens Input

Kurt Nordquist, Gale Dr.: Anne Gobi tried to suspend the Massachusetts tax on fuel and it did not pass; he is not in favor of the Black and White Restaurant having an outdoor entertainment license due to the impact to the neighbors.

Communications

Present Certificate of Bravery to Wayne Pothier and John Stanton

Water Department employees John Stanton and Wayne Pothier reported a house fire at 6 Maple Street on April 4th and went into the building to alert and assist residents.

Chief Parsons presented a Fire Department Citation to Wayne Pothier and Chairman Woodbury and U & F Super Bill Cundiff presented a Certificate of Bravery to Mr. Pothier.

John Stanton was unable to attend. Mr. Cundiff will provide the Certificate and Citation to Mr. Stanton.

Notice from the Department of Public Utilities

The Board received a notice from the Department of Public Utilities regarding a petition filed by National Grid for a waiver of basic procurement requirements for residential and small business customers. Written comments will be accepted through April 15th.

Old Business:

Public Hearing Continued from March 28, 2022 – Review & Act on an Alcohol Beverages License Amendment Application from Athanasia Snow for an Amendment of an All-alcoholic Beverages Pouring License for Black & White Restaurant, LLC, 206 N. Spencer Road to Include Permanent Outdoor Dining

The hearing reconvened at 6:10 p.m.

Mr. Bridges reported that the Town Planner and Building Inspector had discussions with Ana Snow, owner of the Black and White Restaurant and she has decided to have a property survey to determine if additional permits will be required.

Dr. Hicks said he is concerned about outdoor entertainment disturbing abutter Evelyn Flavin, noting how sound travels.

Ms. Snow asked the Board for a continuation of the hearing to allow time to gather information from the property survey and to work with the Planning Board.

The hearing closed at 6:13 pm.

A motion to continue the hearing to May 9, 2022 (Hicks/Pepe) passed 5/0.

Review & Act on ABCC Expansion of Outdoor Patio Service and Takeaway / Delivery of Alcohol by On-Premises Licensees through April 1, 2023

A motion to extend the Outdoor Patio Service Policy to coincide with the State Legislation for extension (Grigg/Howard) passed 5/0.

Update from Richard Sugden Library Director Cheryl Donahue on Mini Free Library Locations

Library Director Cheryl Donahue thanked the Cultural Council for funding a large portion of the Mini Free Library project. Additional financial support will come from the Friends of the Richard Sugden Library.

Ms. Donahue reported that the Library will collaborate with partners to install mini free libraries to provide books for citizens of all ages to help foster a love of reading throughout the community. Librarians, teachers, and volunteers will work together to maintain a constant supply of books. Current locations include Powdermill Park, David Prouty High School, Knox Trail, Wire Village, and East Brookfield Elementary School.

Discussion on Drainage Issues at 28 Briarcliff Lane

Administrator Bridges reported that staff members have reviewed the drainage concerns at 28 Briarcliff Lane and provided backup information detailing their findings as part of the Board's packet. The issues stems from the property location, which is downhill from other properties resulting in water flowing to the lowest point.

U & F Super Bill Cundiff reported that the Town accepted Briarcliff Lane as a public road in the 1980's and prior to that, it was private way. The road is in a watershed area with water making its way to Cranberry Meadow Pond, flowing down and across into the pond. The property in question is at a low point and has a catch basin in center of driveway, which sends drainage off to the pond. This is not a safety issue and does not impact the neighborhood; to correct this issue for one property, it is not representative of the tax base.

Dr. Hicks mentioned that when water gets into the cracks in the road, it freezes and expands and eventually causes potholes, therefore correcting the issue will protect the investment in the road. Mr. Cundiff said the drainage would still need to be processed in another area and water conveyed to another location and would involve acquiring an easement, drainage design and construction. Dr. Hicks mentioned Lamoureux Lane residents are working together to improve their road and suggested they work with Briar Cliff residents; grant funding is a possibility to assist their efforts. Mr. Pepe suggested a betterment, which has low financing and could be a good option. Mr. Woodbury said residents may have a better chance of obtaining a grant by grouping together and the Town can help guide the process. Mr. Cundiff pointed out that if the Lake Association were to apply for a grant, it would carry more weight.

Don Bonder is leading the effort on Lamoureux Lane and working with Conservation and Highway staff to ensure the process is correct. All neighbors are equally splitting the cost to alleviate the drainage issues on their road in the short-term and will work towards a long-term solution. Mr. Bonder is willing to be the point of contact to assist Briar Cliff residents.

28 Briar Cliff Lane property owner Jennifer Reil suggested adding a ditch along road. Mr. Cundiff said that would not solve the problem and will create a new point of discharge impacting another location.

Mr. Bridges indicated that the Town may be able to apply for grant on behalf of the Lake Association.

Review & Act on the Request from Melissa Huard of Leicester-Spencer Raiders for Permission to Hold a Toll Booth at the intersection of Route 31 North & Route 9 on May 7, 2022 from 11:00 am to 6:00 pm

Mr. Pepe noted his preference is to end the toll booth prior to 6 pm. Chairman Woodbury said 10 am to 5 pm is a better timeframe. Dr. Hicks agreed and pointed out more funds are likely to be raised in the morning.

A motion to approve the request from Melissa Huard of Leicester-Spencer Raiders to hold a Toll Booth at the intersection of Route 31 North & Route on May 7, 2022 from 10:00 am to 5:00 pm (Pepe/Hicks) passed 5/0.

Review & Act to Appoint a Member of the Planning Board to the Housing Production Plan Steering Committee

A motion to appoint Shirley Shiver as the Planning Board Member to the Housing Production Plan Steering Committee (Hicks/Howard) passed 5/0.

COVID-19

Update on Coronavirus / COVID-19 Cases

Administrator Bridges reported that there were two new Covid-19 cases from March 30th through April 6th and seven new cases the week prior.

Dr. Hicks said he is concerned that Worcester has seen a 28% increase in cases.

Town Administrator's Report

Review Final FY2023 Budget & Capital

Mr. Bridges reported that he received the CIPC rating sheets and the numbers are reflected in the Budget and the Warrant. He will provide a recommendation on capital items this week. The Sewer Commissioners are asking for additional funds and he is waiting on details from the Commissioner. Adjustments in the revised budget include the following increases: Information Technology - \$6,000 for social media archiving services; Police Department - \$1,000 for vehicle lease; Fire Department - \$10,000 for payroll to fund the overtime threshold as a result of the reduction from 56 hours to 48 hours; Parks and Rec. - \$1,116 for security cameras at Powdermill Park; and Historical Commission - \$200 for operational expenses. In addition, a \$6,000 decrease in ODIS expense, a \$200 decrease in General Insurance, a \$2,892 decrease in Highway Department expense, and a \$43,458 decrease in Sewer Department to account for changes in the customer base were made. After additional adjustments to vehicle lease payments, appropriations for leases were increased to \$178,300.

The details of two Citizen's Petition on the Warrant were reviewed. Mr. Bridges relayed that they seek to adjust the Town's elderly tax exemption in accordance with MGL Chapter 59, Section 5c. Currently senior residents aged 70 and over with a gross income of up to \$13,000 (single), or \$15,000 (married), may receive an exemption of \$500 off their property taxes. Article 37 asks voters to accept MGL Chapter 59, Section 5c which allows for an annual increase in the income and asset limits; and Article 38 seeks to decrease the age of eligibility from 70 years of age to 65. The State reimburses the Town \$500 per exemption up to a total of 78 participants and that number remains the same even if the Town increases the exemption to \$1,000. There

is no reliable way to estimate the number of additional participants or the cost to the Town if these Articles move forward, and since it is a Citizen Petition, changes cannot be made. Moderator Shemeth noted that amendments may be made on the Town Meeting floor.

The Warrant will be finalized at the April 19th meeting.

Review & Act to Finalize and Close the May 5, 2022 Annual Town Meeting Warrant

The Board will vote to close at the April 19th meeting.

Review Budget Calendar

The calendar was in the Board's packet.

Citizen's Input

Matt Defosse, Pauls Drive: encouraged the Administrator and Selectmen to have a meeting to inform the public of major projects to alleviate communication issues between residents and the Town; he thanked Gabe Coolbaugh and SCA TV for keeping the public informed.

Jonathan Viner, Donnelly Cross Road:

- He compiled data for the Citizens Petitions and reached an estimate of the potential impact. The Article may be amended on the floor, his purpose was to start the discussion.
- Asked about the status of hiring the new Town Planner. Mr. Bridges: currently have an Interim Planner and will begin the recruiting process after Town Meeting.
- Asked about the status of damaged wall at the Library. Dr. Hicks: water got into a crevice which damaged the wall. It will be repaired before winter.

Board Member and Staff Comments

Chairman Woodbury: announced the Congregational Church will hold the Spencer Cleanup Day on April 23rd. The Conservation Commission is working with the church in this effort.

Administrator Bridges: thanked Flexcon for setting up a crew to assist with the cleanup.

Dr. Hicks: seeing cars parked on wrong side of the street on Mechanic Street by the Post Office and suggests creating parking for a limited amount of time for handicapped access in front of the mailbox. The Postmaster will check with Boston to see if a new mailbox can be installed in the parking lot adjacent to the the Post Office.

Mr. Pepe: would like millings from road projects set aside for residents to use.

April Meeting Dates

The Board reviewed their April meeting dates.

Adjournment

The meeting adjourned at 7:41 pm.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: License Applications for Black and White Restaurant; Letter from Eleanor Flavin; ABCC Notice on extension of outdoor service through 4/1/2023; FY23 Budget & Capital documents; ATM Warrant