



Minutes of the Meeting of the Board of Selectmen

Date: February 24, 2020 – Business Meeting
Time: 6:00 p.m.
Place: McCourt Social Hall, Memorial Town Hall, Spencer, MA
Present: Chairman Pepe, Vice-chair Monette, Clerk Berthiaume, Members Hicks & Woodbury, and Administrator Gregory.

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

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

None

Minutes:

Vote to approve the Meeting Minutes of January 27 and February 10, 2020

A motion to approve the meeting minutes of January 27, 2020 Business Meeting and February 10, 2020 Executive Session (Berthiaume/Monette) passed 5/0.

Communications:

Meritorious Service Award Nominations due to the Administrator's Office on February 24th (forms on website)

Chairman Pepe announced today is the last day to submit nomination forms.

Citizen Input

Bob Cirba, 23 Summit Street, said he believes it's unfair to ask Senior Center users to sign a waiver to use the building, when no other building has this requirement.

Moderator Bill Shemeth asked the Board to fund the Senior Center code compliant project in a way which would allow it to be resolved as soon as possible. He suggests using funds from a source such as stabilization and replenish over a three-year period.

Ron Sciascia, 95 N. Spencer Road said he was denied a burning permit after being citing over two burning issues. After the Fire Chief denied him a permit indefinitely, he met with the Town Administrator, who supported the Chief's decision. Mr. Sciascia asked the Board for suggestions to resolve this matter and allow him to obtain a burn permit.

Mr. Gregory indicated that he met with Mr. Sciascia and is confident that the Fire Chief's reaction is appropriate. Chairman Pepe noted that the Town has a process and he trusts staff members are following it appropriately. He asked the Administrator if anything could be done. Mr. Gregory will speak with the Fire Chief again.

Christine Mancini, COA Chair asked why the waiver for use of the Senior Center came from the Town Administrator and not the Board of Selectmen. She asked the Board to consider funding the Senior Center code compliant project as an emergency funding.

New Business:

Review & Act on the Petition of the Fish & Game Club for a Change in Alcohol License Beneficial Interest (Officers & Directors)

Mr. Woodbury noted that this is an annual request of the Fish and Game to change the Officers and Directors after their election.

A motion to approve the request of the Fish and Game for a Change in Alcohol License Beneficial Interest for Officers & Directors (Hicks/Woodbury) passed 5/0.

Review & Act on Release of Claims, Indemnity, and Hold Harmless Agreement for the Senior Center at 68 Maple Street

Dr. Hicks questioned why the waiver was provided to the Senior Center Director prior to notifying the Board. Mr. Woodbury said advance communication to the Board was lacking. There was discussion on why other Town buildings do not require waivers for use.

Mr. Gregory discussed liability concerns regarding safety of the building with Town Counsel and was advised to have users of building sign a release form. He forwarded the form to the Director to protect the Town from liability. Other Town buildings are code compliant, therefore waivers are not needed. It was not his intent to stir controversy and the Board can decide not to use the form.

Mr. Monette pointed out that Mr. Gregory is doing his job and trying to protect the Town. Ms. Berthiaume agreed and said she is in favor of the waiver and noted that she uses similar forms for events and celebrations which she organizes for the Town.

A motion not to implement the use of the release form (Hicks/Woodbury) passed 4/1. Selectmen Berthiaume was opposed.

Review & Act on Funding Source for Code Compliant Construction Cost for Senior Center

Mr. Gregory reviewed the FY2020 free cash analysis and is projecting \$534,770 will be available for the Town's capital program.

Ms. Berthiaume suggested using available free cash and not stabilization, to fund the Senior Center project. Chairman Pepe said his preference is to use available free cash since he believes there will be a need to request additional funding to operate the Town in the future. Mr. Gregory noted the impact to other departmental capital needs could be significant since capital is funded through free cash. There was discussion on funding a portion from stabilization to avoid the impact to other departmental capital needs. Mr. Gregory pointed out that funding from stabilization requires a two-thirds majority to pass at Town Meeting.

A motion to fund the Senior Center sprinkler system project using 75% from free cash and 25% from stabilization (Hicks/Woodbury) passed 5/0.

Review & Act on the Request of the Police Chief to add Parking Ticket Violations in Accordance with Article 8, §12 of the General Bylaws and MGL Chapter 90, §20A ½

Chief Darrin requested the Board's approval for two additional violations to be listed on the Parking Tickets in order to help address vehicle abandonment:

- 1) No, or Expired Inspection Sticker
- 2) Unregistered Motor Vehicle or Trailer

A motion to approve the request of the Chief of Police as presented (Hicks/Berthiaume) passed 5/0.

Review and Act on Intermunicipal Agreement with Leicester for Shared Accounting Services

Mr. Gregory reported that a final agreement has been negotiated between Leicester and Spencer for shared accounting services and has been fully vetted by Town Counsel. If approved, the agreement will take effect on April 6th allow the Leicester Accountant to shadow Accountant Alain Boucher.

A motion to approve the Intermunicipal Agreement with Leicester for Shared Accounting Services (Hicks/Berthiaume) passed 5/0

Dr. Hicks said previous discussion included hiring a full-time Town Accountant and asked if ten hours per week would be adequate. Mr. Gregory noted that since the District's accounting is not run through the Town, a full-time accountant is not needed. Hiring a Finance Director to oversee Accounting, Assessor's, and Treasurer's Office would be ideal, however is not feasible given the existing budget limitations.

Dr. Hicks commended the Administrator for negotiating this agreement on behalf of the Town.

Review and Act on OPEB Declaration of Trust and Agreement

Administrator Gregory reported that the Town currently has \$229,000 in an OPEB account. Bartholomew Investments recommend that the Board and the Treasurer/Collector enter into the OPEB Declaration of Trust and Agreement which allows OPEB funds to be invested separately from the other Town accounts. The Treasurer/Collector would be the trustee and manage the funds in a more aggressive investment. The agreement has been reviewed and approved by Town Counsel.

Motion to approve the OPEB Declaration of Trust and Agreement as presented (Hicks/Woodbury) passed 5/0.

Town Administrator's Report

FY2021 Budget Update

The Administrator reported that the health insurance increase came in at 2.5% less than budgeted. At this time, a \$243,000 difference exists between the District's request and the Town's ability to fund.

FY2021 Capital Requests

Mr. Gregory reviewed the 5-year Capital Plan and noted that Senator Gobi's Office is working to obtain funding for a salt storage shed for Spencer and East Brookfield. Dr. Hicks stated that the East Brookfield Board of Selectmen should be invited to participate. The Capital Improvements Planning Committee will meet on Tuesday to review the requests in detail.

Chairman Pepe noted that departmental capital funding will be especially limited with the use of free cash for the Senior Center project.

Special Town Meeting Wrap-up

Noting to report.

Board Liaison Reports

Mr. Pepe noted that the Economic Development Committee will be meeting this weekend.

Dr. Hicks said the School Committee is still working on their FY2021 budget.

Mr. Gregory noted that the FMPC is working to identify departmental needs over a five-year to ten-year period.

Citizen Input

Matt Defosse, 7 Paul's Drive, asked if there was an update on his request to check into the Town Planner's email message regarding solar. Mr. Woodbury said to contact Mr. Gregory directly; questions surrounding staff members are not discussed in a public meeting.

Mr. Defosse also mentioned the need for funds to purchase properties through the Right of First Refusal for open space and water protection and noted that solar will impact stormwater.

Board Member and Staff Comments

None

Request for Executive Session under Mass General Laws, Chapter 30A, §21(a), ¶3: to discuss strategy with respect to collective bargaining for the Police Officers, Police Dispatchers, Utilities & Facilities and Town Hall Clerks Bargaining Units

At 7:45 pm a motion to meet in Executive Session in accordance with MGL Chapter 30A,

30A, §21(a), ¶3: *to discuss strategy with respect to collective bargaining for the Police Officers, Police Dispatchers, Utilities & Facilities and Town Hall Clerks Bargaining Units (Hicks/Monette) passed with a roll call vote: Woodbury-yes, Berthiaume-yes, Hicks-yes, Pepe-yes, Monette-yes.*

The meeting was adjourned at 7:45 pm. All were in favor.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: Petition of the Fish & Game Club; Claims, Indemnity, and Hold Harmless Agreement for Senior Center; Parking Ticket Violations; Intermunicipal Agreement with Leicester; OPEB Declaration of Trust and Agreement