



Minutes of the Board of Selectmen

Date: September 26, 2022
Time: 6:00 p.m.
Place: McCourt Social Hall
Present: Chairman Woodbury Vice-Chair Howard, Clerk Grigg, Selectman Hicks and
Pepe and Administrator Bridges

Call the Meeting to Order

At 6:00 pm Chairman Woodbury called the Selectmen's meeting to order 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 & Act on the Meeting Minutes of September 12 and September 19, 2022

A motion to approve the minutes of September 12 and September 19, 2022, as amended (Pepe/Grigg) passed 5/0.

Citizens Input

None

Communications

None

New Business

Review & Possible Action on the Request of Keith Kerrigan of Terptown Throwdown for an Entertainment License for a Live Music / Arts Festival & Reggae Cannabis Awards at the Spencer Fairgrounds on August 18, 2023 from 3 pm to 10 pm and on August 19, 2023 from 12 pm to 10 pm

Keith Kerrigan was present to request an entertainment license for the 2023 Terptown Throwdown event.

Selectmen Pepe asked who will manage sound this year. Mr. Kerrigan said the same individual who handled it this year and is the one recommended by Rich Lapierre.

Dr. Hicks said he was upset when he learned that Rich Lapierre was not the soundman, and the Board was not made aware of the change. Mr. Kerrigan explained that Mr. Lapierre's price was much higher than he was afford for the event and said Mr. Lapierre withdrew to help ease the financial burden and recommended an individual able to handle at a lower cost. It would have cost an additional \$15,000 to \$20,000 to hire Mr. Lapierre. Dr. Hicks said he will not vote on this application until he speaks with Mr. Lapierre.

Chairman Woodbury said he was disappointed by the location of the stage. He understood it would be directed toward the cemetery, yet it was by a small neighborhood and both he and Dr. Hicks received complaints. Mr. Kerrigan said he was advised to the change location because a wedding was being held at Zukas and explained that he spent a lot of time and money on the sound to ensure that it was under the decibel limit.

Mr. Pepe said he had great concern over security and wanted the parking lots to be perused.

Chairman Woodbury suggested directing the stage back towards the cemetery for next year.

Mr. Grigg asked if the decibel ratings were violated; Mr. Kerrigan said they were not and the police confirmed they remained within the limits.

A motion to approve the event as requested as the sound decibels did not go over the limit (Howard/Grigg) passed 3/2 – Hicks-no and Pepe-no

Discussion on an Electronic Voting System (with Moderator & Town Clerk)

Town Clerk Sandy Fritze and Moderator Bill Shemeth were present.

Mr. Bridges will contact Town Counsel to determine if a bylaw change is required to implement electronic voting.

Town Clerk Fritze reported that she plans to purchase 500 electronic clickers and all voters will be provided with one when they enter a Town Meeting to check in; if more are needed, she can borrow from surrounding towns. The clickers work with a yes/no button and each voter will have twenty seconds to vote and results will appear on the monitor.

Moderator Shemeth asked about the process if a voter amends a motion during the meeting. Mr. Bridges said the amended motion would become a new question to be voted on.

Ms. Fritze noted that the clickers are not internet based and will get wiped out for after each usage. Mr. Bridges will continue to research the logistics of electronic voting.

Review and Possible Action FY2023 Board Liaison Assignments

Chairman Woodbury asked the Board to contact him with any requests for changes in liaison assignments prior to the next meeting.

Dr. Hicks pointed out that the Disability Commission is vacant and is requesting citizen volunteers to get it back up and running.

Mr. Pepe said he is willing to step back for anyone who may want to support other areas and mentioned the Library if anyone has a strong interest.

Old Business

Public Hearing Continued from March 28, April 11, 2022, and May 9, 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

A motion to open the public hearing at 6:07 pm (Howard/Hicks) passed 5/0.

Ana Snow, owner of the Black & White Restaurant was present to request an amendment of an all-alcoholic beverages pouring license to include permanent outdoor dining. Ms. Snow stated that she has worked with Building Inspector Duane Amos and Town Planner Lauren Vivier and together they have come to a resolution and now have adequate parking spaces to support the additional dining area. Mr. Pepe asked if the parking issues have been resolved. Ms. Snow said the parking is now sufficient. Ms. Vivier provided the Board with plans and photos of the new area.

Direct abutter Evelyn Flavin, 202 N. Spencer Road stated that since she brought up her concerns to the Board at the original hearing, everything has been quiet and there have been no issues with parking or noise.

A motion to close the public hearing at 6:10 pm (Hicks/Howard) passed 5/0.

A motion to approve the 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 (Grigg/Hicks) passed 5/0

Covid-19

Update on Coronavirus / COVID Cases

Dr. Hicks said that the latest Covid variant is milder than others and although the pandemic is over, he cautioned that Covid is still serious, particularly for those with pre-existing conditions.

Administrator Bridges noted that there were 24 new Covid-19 cases during the week ending September 19, 2022 and a total of 2,683 cases since the inception of the virus.

ARPA Update

None

Town Administrator's Report

Mr. Bridges reported:

- Chris Dumaine resigned from the Highway Department
- The public hearing on the Charter license renewal has been postponed and a new date will be scheduled soon.
- The hearing for the realignment for the intersection of Pleasant Street will be held on October 17th or October 24th.
- Recent appointments of highly qualified individuals have been made to the Planning Board, Conservation Commission, and the Assessor's Office.
- Wastewater Treatment Plant Superintendent and Sewer Commissioners will present a review of the cost and positive impacts for the sewer collection system. Superintendent LaPlante called in to the meeting and advised that Wright Pierce will present the data to the Selectmen and Commissioners.

Review November 10, 2022 Special Town Meeting Calendar

The calendar was reviewed. The October 24th special meeting will be added.

Contracts for Consideration and Approval

Contract with Massachusetts Historical Society for the Spencer Historical Commission's Survey and Planning Grant - Historic Preservation Plan

Mr. Bridges announced that the Historical Commission received a \$15,000 grant to conduct a preservation study and the Town voted to approve a \$15,000 match. A consultant will be hired to undertake the study.

A motion to approve the contract with the Massachusetts Historical Society (Hicks/Grigg) passed 5/0.

Review and Possible Action on Town Administrator's Annual Performance Evaluation

Chairman Woodbury announced that he and Vice-chair Howard met with Administrator Bridges to review his annual performance evaluation. On a scale of 1 to 4, Mr. Bridges received a 3.51 on management attributes and a 3.61 on personal attributes.

Dr. Hicks noted that working with Mr. Bridges has been a breath of fresh air; his work ethic is beyond reproach and his door is always open. Chairman Woodbury agreed and pointed out that he has never seen an Administrator attend every board and committee meeting and appreciates his work ethic.

Mr. Bridges thanked the Board and said he appreciates the confidence and is never out of projects to complete.

Citizens Input

Matt Defosse, Pauls Dr.: there was an incident at transfer station on September 22nd when a solar array was involved a fire, the unknown and unexpected consequences need to be addressed in the future with solar. Although it was small and contained, the danger is great and he requests a cease-and-desist order in the meantime, while he prepares his own report.

Carl Kwiatkowski, Meadow Rd.: about selling the Pleasant Street School lot.

Board Member and Staff Comments

Dr. Hicks would like to have a discussion on the Pleasant Street School property on a future agenda. Chairman Woodbury said it is a 1.2 acre parcel and is not feasible to place on an agenda at this time. There is a lot of property to be group together and researched for sale or reuse.

Dr. Hicks would like to learn more about the fire at the Transfer Station; he believes it was a lightning strike.

The meeting adjourned at 7:01 pm.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: FY23 Board liaison assignments; alcohol license amendment application for Black & White Restaurant; Terptown Throwdown entertainment license application; Contract with Mass. Historical Society