



## **Minutes of the Board of Selectmen**

Date: November 14, 2022  
Time: 6:00 p.m.  
Place: McCourt Social Hall  
Present: Chairman Woodbury Vice-Chair Howard, Clerk Grigg (arrived at 6:20 pm),  
Selectman Hicks and Administrator Bridges  
Absent: Selectman Pepe

### **Call the Meeting to Order**

At 6:00 pm Chairman Woodbury called the Selectmen's meeting to order and led the Pledge of Allegiance.

Chairman Woodbury acknowledged the retirement Elaine Jaquith, who served the Town for over 29 years.

### **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 October 17 and October 24, 2022**

*A motion to approve the minutes of October 17 and October 24, 2022 (Howard/Hicks) passed 3/0. Selectman Grigg abstained*

#### **Review & Act on Executive Session Minutes of October 17, 2022, not to be released at this time**

*A motion to approve the Executive Session minutes of October 17, 2022 as amended, not to be released at this time (Hicks/Howard) passed 4/0 by roll call: Grigg-yes, Hicks-yes, Howard-yes, Woodbury-yes.*

### **Citizens Input**

Matt Defosse, Pauls Dr.: thanked the Planning Board, Town Planner, and Selectmen for their work on the solar bylaw amendment and expressed concerns with commercial solar development.

### **Communications**

None

## **New Business**

### **Public Hearing - Review and Act on Tax Classification for FY2023**

*A motion to open the public hearing at 7:19 pm (Hicks/Grigg) passed 4/0.*

Principal Assessor Linda Leblanc presented options for consideration for the FY2023 Tax Classification which include: 1) Minimum Residential Factor/Single or Split Tax Rate; 2) option to grant an Open Space Discount; 3) option to grant a Residential Exemption; and 4) option to grant a Small Commercial Exemption.

Chairman Woodbury mentioned that the presentation does not include the option tables with the financial impact. Mr. Bridges said the information was not available due to the turnover in the Accounting Office; it will be available for the November 21<sup>st</sup> meeting.

*A motion to continue the tax classification public hearing until November 21, 2022 at 6 pm (Hicks/Howard) passed 4/0.*

### **Public Hearing - Review & Act on Annual License Renewals for Class II Auto Dealers, Class III Salvage Dealer, and Gravel Permit Operations for Calendar Year 2023**

*A motion to open the hearing at 7:25 pm (Hicks/Howard) passed 4/0.*

Chairman Woodbury recused himself for the Class II license renewal portion of the hearing and Vice Chair Howard took over.

*A motion to approve the Class II Auto Dealer license (Howard/Hicks) passed 3/0. (Woodbury abstained) for the following businesses:*

1. Brian's Auto
2. Car Finders Now
3. Dennis' Auto
4. Easy Way Auto
5. Emerald Auto Sales
6. Fernanda's Auto Sales
7. Hilltop Auto Sales
8. Main Street Auto Sales
9. NextGen Auto
10. Ronald Brown Auto Sales
11. Small Car Clinic
12. Spencer Motor Sales
13. Straight Line Auto

Mr. Woodbury returned to the meeting.

*A motion to approve the Class III Auto Dealer license (Grigg/Howard) passed 4/0 for the following businesses:*

1. Durgin's Valley Garage

*A motion to approve the Gravel license renewal (Howard/Hicks) passed 4/0 for the following businesses:*

1. Bond Construction, Cranberry Meadow Road
2. Bond Construction, North Spencer Road
3. Bond Construction, 97 Hastings Road
4. Robert Moschini, Royal Crest Farm LLC, 30 Howe Road
5. Leo Aucoin, 89 Cranberry Meadow Road

*A motion to close the public hearing (Howard/Hicks) passed 4/0 for the following businesses:*

**Review & Act on all other Annual License Renewals for Calendar Year 2023**

*A motion to approve the Class I license renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. Ahearn Equipment, Inc.
2. Alpha Cars & Ural of New England
3. Barnstorm Cycles, 24 Wall St.
4. Barnstorm Cycles, 389 Main St.
5. Klem Tractor, Inc.

*A motion to approve the Alcohol License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. Black & White Pizzeria & Grill
2. Charlie's Diner
3. Chef Sau
4. Connect Restaurant
5. Either's Café
6. Granville's Pub
7. Tulence d/b/a Mexicali Grille
8. Spencer Country Inn
9. Yamato Asian Bistro
10. Zukas Hilltop Barn
11. Ted's Spencer
12. Liquor Barn/Mayank LLC
13. Spencer Package Store
14. Bayberry Bowling
15. Rapscaillon/Concord Brewery
16. Laney's Variety
17. Xpress Mart
18. American Legion
19. Spencer Fish & Game

*A motion to approve the Common Victualler License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. Big Y Foods
2. Camp Marshall
3. Dairy Queen
4. Dashboard Diner
5. Dippin' Donuts
6. Domino's Pizza
7. John's Pizza
8. Kosta's Café
9. Lincoln Hill Manor
10. Price Chopper
11. Spencer Donuts, Inc. East Main
12. Spencer Donuts, Inc. West Main
13. Subway
14. Thibault's Country Store
15. Village Pizza
16. Cistercian Abbey of Spencer-Trappist
17. St. Joseph Abbey Guest House
18. First Congregational Church
19. Mary, Queen of the Rosary
20. American Legion
21. Black & White Pizzeria & Grill
22. Chef Sau
23. Connect Restaurant
24. Ethier's Café
25. Granville's Pub
26. Tulence/Mexicali Grille
27. Spencer Country Inn
28. Spencer Fish & Game
29. Charlie's Diner
30. Yamato Asian Bistro
31. Zukas Hilltop Barn

*A motion to approve the Innkeepers License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. Spencer Country Inn
2. Zukas Hilltop Barn

*A motion to approve the Amusement License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. Bayberry Bowling
2. Granville's Pub

3. Price Chopper
4. Ethier's Café

*A motion to approve the Entertainment License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. American Legion
2. Bayberry Bowling Center
3. Black & White
4. Tulence/Mexicali Grille
5. Granville's Pub
6. Spencer Country Inn
7. Spencer Fish & Game
8. Zukas Hilltop Barn

*A motion to approve the Junk License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

1. Cormier Jewelers
2. J & M Collectibles
3. William Ekleberry, Jr. Antiques

*A motion to approve the Lodging House License renewals (Howard/Hicks) passed 4/0 for the following businesses:*

SMOC 126 Main Street  
SMOC 204 Main Street

### **Review & Act on 2:00 a.m. closing on New Year's Eve for establishments with Alcohol Pouring Licenses**

*A motion to approve a 2:00 a.m. closing on New Year's Eve for establishments with Alcohol Pouring Licenses (Howard/Grigg) passed 4/0.*

### **Request from Roberta Monette to discuss Celebrations Committee Funds**

Roberta Monette was present and explained that she worked to raise funds to enhance outdoor Christmas decorations for The Town Hall and Library, which were put into the Celebrations Account. She did not spend any of the funds due to COVID and planned to do so this year and came into Town Hall and learned the funds were spent on other items. Mrs. Monette is not on the Celebrations Committee, therefore is not authorized to make any expenditures. She also stated that two businesses donated funds for outdoor speakers, which were never purchased and believes they should be returned to the donors.

Chairman Woodbury said the Celebrations Committee will need to hold a meeting and vote on any expenditures. He also mentioned he was unable to locate minutes for past Celebrations Committee meetings. Mr. Bridges said the Celebrations Committee should

meet and vote on expenditures; there is currently \$380 available in the celebration's donations account.

Mr. Bridges indicated that the Board may determine how the funds raised by Mrs. Monette are to be spent. It was agreed that Mrs. Monette will obtain a price for the decorations and make a request to Mr. Bridges. Further discussion will take place at the December 5<sup>th</sup> meeting.

### **Request from William Keyes to review drainage issues on Bacon Hill Road**

William Keyes owns property on Bacon Hill Road. He stated that the Town installed seven culverts into one culvert which it is now draining on his property; the headwall drains on his property and he wants it on Town property.

Administrator Bridges reported that multiple engineering plans and an easement request were presented to Mr. Keyes in an effort to resolve his concerns, but he is unwilling to agree to an easement and without it, there is no way for the Town to move forward with a solution.

U & F Superintendent Bill Cundiff explained that options for stormwater structures to mitigate the water on this property were reviewed with the previous owner, Arthur M. Kinne, who was selling the property to Mr. Keyes and Mr. Keyes was brought into the discussion and provided with three solutions to mitigate the water; he would not approve of any of the options. Mr. Cundiff was open to suggestions, within reason, and Mr. Keyes submitted a proposal which would drain the water into a major watershed district and was not a feasible option. An alternative was presented to Mr. Keyes which also required an easement across the property and Mr. Keyes does not want an easement.

Mr. Grigg asked if the additional culverts were in place prior to Mr. Keyes purchasing the property. Mr. Keyes said they were in place; however, an asphalt swale was installed within the past year. Mr. Cundiff mentioned that no change in the drainage, it is the same as it was prior to the installation of the swale, it is now draining faster.

Chairman Woodbury pointed out that drainage originally existed on both sides of the road and now is only on one side. The Town should not have installed a headwall on private property. There was some discussion on an existing drainage easement for this property. Mr. Grigg suggested research be done to determine if there is an existing easement.

Mr. Cundiff presented a plan showing where the easement should be located and Mr. Keyes said he is not willing to give the Town an easement. Mr. Howard pointed out that without the easement, there is no way for the Town to redirect the water. Mr. Woodbury explained that the easement protects both the property owner and the Town; a drainage easement is the best solution. Mr. Keyes said he would like to have the pipe moved to the property line by the road.

Dr. Hicks suggested that Mr. Keyes meet with Mr. Cundiff and Mr. Bridges to work to finalize a solution and the Board will review at their December 5<sup>th</sup> meeting.

## **Review & Possible Action on the 2023 Board of Selectmen Meeting Calendar**

*A motion to approve the 2023 Board of Selectmen meeting calendar with the only change for the August meeting date to August 7<sup>th</sup> (Hicks/Grigg) passed 4/0.*

## **Review & Possible Action on Staffing at the Spencer Fire Department**

Chief Parsons reported that the average overtime for the Fire Department is \$30,000 per year and he is looking to reduce that cost. Interim Firefighter Patrick Shea was hired to cover for Firefighter Patrick Murray while he was on extended medical leave and now is expected to return to work. Chief Parsons would like to hire Mr. Shea as a fulltime permanent firefighter to provide full coverage and avoid additional overtime.

*A motion to approve the request to hire Patrick Shea as a fulltime firefighter (Grigg/Hicks) passed 4/0*

Dr. Hicks said he was pleased that Mr. Murray is well and returning to work.

## **Review & Possible Action on “Certifying Authority to File” with regard to the Wastewater Treatment Plant Expansion Clean Water State Revolving Fund Program**

*A motion to update the Certifying Authority to File to Administrator Bridges as the signatory (Hicks/Grigg) passed 4/0.*

## **Covid-19**

### **Update on Coronavirus / COVID Cases**

There were 7 new Covid-19 cases during the week ending November 7<sup>th</sup> and 13 new cases the week prior. Mr. Bridges received a request from Health Agent Daoust to discontinue the COVID case reporting since most folks are home testing. Chairman Woodbury and the Board agreed to discontinue the updates and review at their January meeting.

### **Town Administrator’s Report**

Mr. Bridges reported that the Request for Quotes for the repair of the Senior Center elevator are in process; the goal is to receive quotes from approved contractors and under budget by December 5<sup>th</sup>.

### **Contracts for Consideration and Approval**

The following contracts were approved:

**Employment Contract Extension with Police Lieutenant Michael Befford - *a motion to approve (Hicks/Howard) passed 4/0***

**Electricity Supply Contract through MMA MunEnergy Program with Constellation Energy as presented - *a motion to approve (Hicks/Howard) passed 4/0***

**Grant Agreement with the Department of Housing & Community Development in the amount of \$130,000 to update the Town's Master Plan - *a motion to approve (Grigg/Hicks) passed 4/0***

**Agreement with NFP for Employment Benefit Administrative Services - *a motion to approve (Grigg/Howard) passed 4/0***

**Agreement for Installation of a Municipal Fiberoptic Network Phase I - *a motion to approve (Grigg/Hicks) passed 4/0***

**Agreement with the Massachusetts Interlocal Insurance Agency (MIIA) for a two-year Rate Guarantee - *a motion to approve (Grigg/Hicks) passed 4/0***

**Agreement with Alaine Boucher for Town Accountant Services - *a motion to approve (Hicks/Howard) passed 4/0***

#### **Citizens Input**

Carl Kwiatkowski, 113 Meadow Rd.: asked about a cut in the pavement on route 9 at the Leicester border. Mr. Bridges will reach out to MassDOT..

#### **Board Member and Staff Comments**

None

The meeting adjourned at 8:01 pm.

Respectfully submitted,

Brenda Savoie  
Executive Assistant

Referenced documents: tax classification presentation; license renewal documents; & celebrations committee funds