



Minutes of the Joint Meeting Board of Selectmen Finance Committee and

Date: August 8, 2022
Time: 6:00 p.m.
Place: McCourt Social Hall
Present: Chairman Woodbury, Vice-Chair Howard, Clerk Grigg, Members Hicks and Pepe, and Administrator Bridges

Finance Committee Members Present: Chairman Mary Braney, Paul McLaughlin, Bill Wall, Charles O'Connor, Ed Sproul, Chris Woodbury, Bill Shemeth Jonathon Viner; Remote: Chris Bowen

Absent: Nancy Tame and Virginia Davidson,

Call the Meeting to Order

At 6:00 pm Chairman Gary Woodbury called the Selectmen's meeting to order and led the Pledge of Allegiance and Chairman Mary Braney called the Finance Committee Meeting to order.

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

None at the start of meeting. At 6:09 pm Finance Committee Chairman Mary Braney announced that Chris Bowen would be participating remotely in accordance with Regulation 940, CMR 29.10 of the Open Meeting Law and as such, all votes will be taken by roll call.

Citizens Input

Joel Hart, Gold Nugget Road: requested an update on the status of electronic voting from the Administrator and the Moderator and did not receive it and would like an explanation. Mr. Bridges: a decision was not made and he will not give out incomplete information, so there was no update to provide. Chairman Woodbury: this will be discussed at the August 22nd meeting with the Town Clerk and Moderator.

Matt Defosse, Paul's Dr.: relayed his concern over the situation with the school project in Worcester with the cost overruns and is concerned it could happen with the DPHS project. Dr. Hicks: we are locked in at \$111 million with MSBA and cannot go over that amount, and instead would have to make reductions.

Presentation by the SEBRSD on the Proposed Renovation to the David Prouty High School

Dr. Paul Haughey, Superintendent of the SEBRSD introduced Dorrie Brooks with Jones Whitsett Architects, Phil Palumbo with Collier Engineering, and Nathan Malone, Principal of DPHS.

Dr. Haughey noted that the 2012 project with MSBA was unsuccessful due to District issues. A new MSBA project was submitted in 2018, after struggling to maintain

accreditation for the DPHS. A feasibility study and design were completed in June of 2022 with MSBA support.

Mr. Malone reported that the High School received a probationary accreditation in 2018 because of concerns with the building and they will be reevaluated in 5 years to review progress and work towards full accreditation.

Dorrie Brooks, with Jones Whitsett Architects presented a Power Point indicating numerous areas of deficiencies, both interior and exterior, within the DPHS which resulted in the decision to move forward with the addition/renovation concept. This method consists of a major renovation of the A Wing, and brings several new and updated features to the building, including new classrooms, media center, medical office and administration spaces; new ventilation and A/C, new security infrastructure, expanded energy management, renovates the cafeteria and auditorium, reuses current boilers, adds a larger gymnasium, adds a new pre-k, and improves the building solar orientation.

Phil Palumbo with Collier Engineering reported that the total project budget is \$111.6 million, of which the District's share is \$64.8 million, after the MSBA reimbursement of \$46.8 million. The estimated annual debt payment would be \$4,213,170, with Spencer's share at \$3,365,333; the increase in property taxes amounts to \$768 for the average property valued at \$298,788. If approved, the design portion of the project is expected to be complete at the end of 2023 and the construction portion by the 2026-2027.

Dr. Haughey said if the project doesn't pass, there will be continuing expenditures and concerns surrounding accreditation and enrollment, loss of MSBA funds, and rising costs. It is unlikely to get back into the MSBA funding queue for several years and will cost \$66.3 million just to bring the building up to code, with no reimbursement.

Mr. Palumbo reviewed historic cost trends noting the cost per square foot for the project in 2012 was \$385.00 and today it is over \$700. MSBA places a cap of \$360 per square foot on their contribution, so as the cost of the project increases, the local share grows.

Selectman Pepe asked how the MSBA determines their contribution, which is currently at 42% and asked if the project is broken down by the match per area of design. Mr. Palumbo said MSBA construction costs are capped at the \$360 per square foot and there are other costs which are not eligible. Ms. Brooks explained that the MSBA funds up to 72% of \$360 per square foot and that anything beyond the \$360 cap is ineligible.

Mr. Grigg asked about the total cost of items which are 100% ineligible. Mr. Palumbo indicated the total amount is \$18.7 million, plus \$42.4 in construction costs, above the \$360 per square foot cap.

Dr. Hicks pointed out that a new school will prevent students from leaving the District and with the addition of four new vocational programs, students from other schools, including school choice, charter, and other vocational schools will likely attend DPHS.

Charlie O'Conner asked how code compliance issues reached \$66 million. Ms. Brooks explained that building code issues are expensive and can be ignored until you proceed to upgrade and suddenly it all must be brought up to code. This is a common issue with public buildings.

Mr. Grigg asked if a preventative maintenance program was submitted as part of the project. Ms. Brooks said the District provided a detailed written plan as part of the project. Dr. Haughey confirmed he is responsible to ensure the plan is followed

Mr. Grigg asked if there is contract language preventing the construction company from going over budget. Mr. Palumbo said that a construction manager will be provided with a guaranteed maximum price, which is the ceiling and if looks like it will go over budget, a determination will be made on what items can be removed from the project. Chairman Woodbury noted that materials being used must be made in the United States and will be more expensive.

Jonathan Viner stated that he met with Dr. Haughey and others to discuss his concerns with the Siemens project. Gary Suter indicated that the District completed an energy savings project amounting to \$4.2 million in 2019, which was managed by Siemens. The majority of the project was spread to other buildings since they did not want to invest in the DPHS, only to only tear it out later. A decision was made to replace the boilers, which can be reused, as well as lighting, pumps, and other items, some of which can be reused, or used in another building. Ms. Brooks said they anticipate looking at anything to salvage.

Mr. Grigg asked indicated he is in support of the project and believes it will move Spencer forward.

Mr. Viner said \$958,000 was invested in the DPHS, with \$622,000 being for boiler upgrades and the rest for a combination of other items, which according to a conversation he had with the Owner's Project Manager, the only thing being reused are the boilers and he is concerned there is an estimated \$550,000 worth of material not being reused and wants to know what measures will be taken to minimize the loss.

Dr. Haughey stated that \$550,000 is not an accurate snapshot. He will arrange a meeting with Semens to ensure everything possible is being reused. Dr. Hicks noted that it appears more likely that an estimated \$120,000 worth of materials will not be used.

Review and Possible Action to Set the Date, Time, and Location for the September 14, 2022 Special Town Meeting for consideration of Warrant Articles pertaining to the Proposed Renovation of the David Prouty High School

A motion to set the September 14th Special Town Meeting at 7 pm at the DPHS (Hicks/Howard) After some discussion on the location of the meeting (see below) the motion was amended to:

Set the September 14th Special Town Meeting at 7 pm (Hicks/Howard) passed 5/0.

Chairman Woodbury said the meeting should not be held at DPHS considering it is a regional school and would be better to be held at Wire Village School. Mr. Bridges will research the capacity of Great Hall, Wire Village and DPHS.

There was discussion on electronic voting. Moderator Shemeth stated that the use of secret paper ballots could be implemented and noted his concern over rushing to use a new electronic voting system. He wants to implement it in time for the November Town Meeting and ensure it is done properly. Selectmen Grigg would like to research the possibility of having electronic voting on September 14th, if the meeting is held at Wire Village School. Mr. Bridges will investigate.

The Board agreed to tentatively schedule a special meeting on August 15th.

Review and Possible Action on September 14th Special Town Meeting Warrant

The Board agreed to table until the next meeting.

Review and Possible Action on Year-end Budget Transfers (Finance Committee and Board of Selectman approval necessary; Finance Committee may adjourn after this item)

Administrator Bridges reviewed the year-end finance report which will be finalized after the audit is complete. The Auditor recommends making transfers from accounts with available funds into the accounts with shortfalls to reconcile. Mr. Bridges provided a list of FY2022 budget transfers which include transfers into Town Counsel Account from the following accounts: Select Board \$2,000, Town Administrator \$2,084, ODIS \$5,000, U & F \$12,400, and Sewer user Fund \$8,472. Also, \$7,688.39 from Fire Personnel to Fire Other Charges Account for additional truck repairs and \$6,472 from Vocational School Tuition to Vocational School Transportation Account.

Chris Woodbury stated that transfers are typically done at Town Meeting and asked if Town Counsel approved this process. Mr. Bridges said he did not review with Counsel since this is a common practice. Chairman Woodbury explained that this is a different type of transfer than those done at Town Meeting.

FinCom: a motion to approve the transfers collectively (O'Conner/McLaughlin) passed with a roll call vote: 6/1 with 1 abstention: Bowen-yes; O'Conner-yes, Viner-abstained, Woodbury-no, Sproul-yes, Wall-yes, McLaughlin-yes, Braney-yes

FinCom: a motion to adjourn at 8:16 pm (Woodbury/O'Conner) passed with a roll call vote: 8/0 Bowen-yes; O'Conner-yes, Viner-yes, Woodbury-yes, Sproul-yes, Wall-yes, McLaughlin-yes, Braney-yes

BOS: a motion to approve the transfers as presented (Pepe/Howard) passed 5/0

Review and Possible Action on Proposed Lease/Purchase Agreement for a Pick-up Truck and Plow

A motion to approve the Lease/Purchase Agreement for the Pick-up Truck and Plow (Grigg/Howard) passed 5/0

Review and Possible Action on Engagement Letter with Attorney William August to assist the Spencer Cable Advisory Committee with the Negotiation of the Charter Franchise License Renewal

A motion to approve Engagement Letter with Attorney William August to assist the Spencer Cable Advisory Committee with the Negotiation of the Charter Franchise License Renewal (Hicks/Howard) passed 4/0, Grigg abstained

Mr. Grigg asked why Spencer Cable Access is not paying for the legal fees. Dr. Hicks said it is the Board of Selectmen's contract, therefore it is paid by the Town.

Review and Possible Action on Revised Charge for the Composition of the Cable Advisory Committee (CAC)

Mr. Bridges reported that Attorney August advised that a paid employee of Spencer Cable Access should not be a voting member and the Charge should be adjusted to reflect that. In addition a new town employee should be appointed as a full voting member.

A motion to follow the recommendation of Attorney August and have Aaron Keyes as ex-officio member and add a Town employee as a voting member (Hicks/Pepe) passed 5/0.

A motion to appoint Jeff Bridges as a member of the CAC (Howard/Hicks) passed 5/0.

Consideration and Possible Action on a Contract Amendment between Massachusetts Department of Fish & Game Office of Boating Access and the Town of Spencer for additional Improvements to the Browning Pond Fishing and Boating Access Facility

Mr. Bridges reported that earlier this year the Board approved an agreement for \$47,000 for improvements at the boat launch area at Browning Pond. Additional work was done in the amount of \$18,000 and the Massachusetts Department of Fish & Game provided an amended agreement and will reimburse the Town for the \$18,000.

A motion to approve the contract amendment between Massachusetts Department of Fish & Game Office of Boating Access and the Town of Spencer for additional Improvements to the Browning Pond Fishing and Boating Access Facility (Hicks/Grigg) passed 5/0

Dr. Hicks thanked the Fish & Game and Senator Gobi for their work on this project.

Review and Possible Action on Work Policies for the Spencer Fire Department

A motion to approve the changes to the Work Policies for the Spencer Fire Department (Grigg/Howard) 5/0

Review and Possible Action on request from Town Clerk to approve Early Voting Hours

A motion to approve the early voting hours as requested by the Town Clerk (Hicks/Howard) passed 5/0

Citizen's Input

Matt Defosse, Pauls Drive:

- Deficiencies at the DPHS need to be addressed and he is disappointed it has gotten to this point.
- Suggests a metal building be used for the salt shed to save money.
- Asked if the shed for the Transfer Station can be done at a lower cost.
- Asked for an update on the envelope study for the Library; Mr. Bridges said a consultant has been selected and we are working on a contract.
- Asked about ARPA funds allocated for Library; Mr. Bridges said the Board will vote on where to utilize the funds, which must be allocated by December of 2023 and spent by 2026
- Suggestion to Dr. Hicks: Jonathan Viner is a resident and should not be told "you don't want to hear from him". Dr. Hicks explained that incorrect statements made by Mr. Viner blur the focus of the DPHS project, yet he will retract his statement to Mr. Viner and apologized

Joel Hart, 2 Gold Nugget Road: said he was disappointed that there was no open discussion on the DPHS presentation. Chairman Woodbury: this is a presentation, not a public hearing.

Jonathan Viner, Donnelly Cross Road: stated that the total cost of the Siemens project was \$958,000, the boilers were \$633,000 and the balance is 335,000. \$541,000 is proposed to be replaced.

Board Member and Staff Comments

Mr. Pepe thanked Mr. Bridges for getting the Economic Development Committee up and running.

Adjourn - the meeting adjourned at 8:54 pm.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: SEBRSD presentation; STM Warrant; year-end budget transfers sheet; lease for pickup truck and plow; engagement letter with Attorney August; CAC revised charge; contract amendment with Mass Fish & Game on Browning Pond boat ramp