



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

Date: December 10, 2018 – Business Meeting  
Time: 6:00 p.m.  
Place: McCourt Social Hall, Memorial Town Hall, Spencer, MA  
Present: Chairman Woodbury, Vice Chair Hicks, Clerk Berthiaume,  
Member Pepe, Member Monette and Administrator Gregory

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

A moment of silence was observed to honor Worcester Firefighter Christopher Roy who died in the line of duty on December 9, 2018.

### **Announcement**

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

None

### **Meeting Minutes**

**Vote to approve the Meeting Minutes of November 26, 2018**

*A motion to approve the Meeting Minutes of November 26, 2018 (Hicks/Berthiaume) passed 5/0.*

### **Communications:**

None

### **Citizen Input**

None

### **Old Business:**

#### **CMRPC Hazard Mitigation Update**

Andrew Loew from CMRPC presented a Power Point outlining a plan for the Town to mitigate damages from natural hazards before they occur. Tools and techniques for mitigation involve structure and infrastructure; preparedness and response actions; education and awareness programs; and local plans and regulations.

Mr. Loew worked with Chief Darrin, Chief Parsons, Steven Tyler, Margaret Washburn, and Bill Krukowski to identify hazard prone areas including flood locations, high hazard dams, wildfires, severe winter storms and snowdrifts and a plan was drafted to help mitigate. It will be reviewed by MEMA and FEMA and after their authorization, the Board will be asked to approve. Once complete, a local implementation group will be established and the plan will be in effect for five years.

## **Review & Act on Request of Worm Town Genetics, LLC - Jason Moodley for a Letter of Non-opposition for a Potential Siting of a Medical Marijuana Cultivation Facility at 503 Main Street**

Chairman Woodbury indicated that the Board is not prepared to move forward on the request at this time. Mr. Pepe noted the Board's concern over the proposed location being a gateway to Spencer.

Mr. Moodley said he addressed the Board's concerns from the November 26<sup>th</sup> meeting and developed plans that will create a pleasant entryway into Spencer. Dave Sadowski, Civil Engineer and Alfred Aubin, Project Manager for Worm Town Genetics presented revised plans outlining the location of a proposed 80 by 50 foot addition and a water tower.

Dr. Hicks asked if the existing building will be saved and how the product will be moved in the building. Mr. Moodley said the existing building will be demolished and the existing house and property will be purchased together. Product is moved through a secured enclosed cargo bay located within a fenced-in area and traffic will not be impacted as it is being sold to third-party facilities.

Chairman Woodbury asked for clarification on the numbers. Alfred Aubin said investors provided a budget of \$3 million dollars.

Mr. Pepe said he prefers the revised plan over the original that was submitted on November 26<sup>th</sup>.

Mr. Monette said additional information from the State is needed prior to making a decision and will be moved to the January 14<sup>th</sup> agenda.

Mr. Moodley will forward plans to the Administrator relative to the purchase and sale.

*A motion to table this item until the Board can get all "ducks in a row" (Monette/ Berthiaume) passed 5/0*

Dr. Hicks said he was unsure of what Mr. Monette was referring to and asked for more information. Mr. Monette said he will explain further during the Board Member and Staff Comments portion of the meeting.

Mr. Gregory explained that another applicant is seeking a letter of non-opposition from the Board, however illicit activity was uncovered and the police are investigating

## **Review & Act on Common Victualler Renewals for Calendar Year 2019 for Frangoz Pizza & Fried Chicken and Village Pizza**

*A motion to approve the Common Victualler 2019 License Renewal for Frangoz Pizza and Village Pizza (Hicks/Pepe) passed 5/0*

### **New Business:**

## **Review and Act on Request to Amend Existing Sewer Easement Agreement at 17 Bixby Road**

Administrator Gregory reported that Town Meeting authorized an amendment to the Sewer Line Easement connecting to Bixby Road. The plans have been drawn to reflect the actual location of the sewer line.

*A motion to approve the amended Sewer Easement Agreement at 17 Bixby Road (Hicks/Berthiaume) passed 5/0*

The Board signed the amended agreement.

### **Review & Act on Request for Proposed Changes to the Town Fee Schedule for 2019**

Mr. Gregory reviewed a summary of requested fee changes for 2019 from ODIS, Transfer Station, Fire Department and the Town Clerk's Office.

U & F Superintendent Krukowski is requesting fee increases for the Transfer Station. Dr. Hicks would like to see what other communities charge for Transfer Station fees.

Mr. Pepe expressed concern over large increase on some of the requests, noting some are going from no fee to \$200.

Ms. Berthiaume pointed out the fee for dumping debris is doubling and would like to see the justification for the increases.

Mr. Monette noted that Spencer has the highest fees in comparison to surrounding communities.

Town Planner Paul Dell'Aquila explained Spencer does not have any fees for large scale plan amendments, and these occur on a regular basis. Having a fee would be useful for ODIS.

Chairman Woodbury asked what is prompting the increase in fees and asked for a breakdown on the level of work involved. He noted the fee for a dog license ticket is intended to help cover the cost of Housing Court.

Administrator Gregory indicated the intent is to account for specific activity and the chart of comparison communities helps to determine how others value the same work. Further analysis can be completed.

The Board will discuss at the January 14<sup>th</sup> meeting when Chief Parsons and Superintendent Krukowski are present.

### **Review & Act on Proposed Rules & Regulations for a Building Use Policy for the Senior & Community Center at 68 Maple Street**

Mr. Gregory reported that a policy was drafted for use of the top floor of the Senior & Community Center at 68 Maple Street. Donations for Dignity currently operates on the third floor, free of charge and the policy proposes a \$200 monthly fee for extended use; however the Board could decide to grandfather the organization.

Dr. Hicks said Donations for Dignity provides a compassionate service to Spencer and the surrounding community and he doesn't want to charge them for use of the space. The Board agreed.

Mr. Gregory noted that the request for use of the space will be handled through the Administrator's Office and the logistics will be worked through the Utilities & Facilities Office. A walk-through of the building with COA Director Pam Woodbury and Chief Parsons will be scheduled to address security concerns.

Mr. Monette pointed out that the size of the space needs to be taken into account when calculating the fee. It should be higher for a group utilizing multiple rooms.

Ms. Berthiaume asked why the policy is for the top floor only. Mr. Gregory said that floor is being made available to the community since the Senior Center is on the ground floor and main level. Director Woodbury said the main level was being heated and unused. After the elevator was up and running, exercise rooms were added on the main level for use by the Center.

*A motion to delay approval until the next meeting when a revised draft can be reviewed (Hicks/Monette) passed 5/0.*

Ms. Berthiaume indicated that Donations for Dignity (currently utilizing 2 rooms) will be allowed to expand to a third room and no further. The Board agreed.

### **Review & Act on Request to Place the Position of Treasurer/Collector on the 2019 Annual Town Election Ballot**

*A motion to place the position of Treasurer/Collector on the 2019 Annual Town Election Ballot for a one-year term to fill the balance of Susan Lacaire's term (Hicks/Berthiaume) passed 5/0.*

### **Town Administrator's Report**

Mr. Gregory is preparing to initiate the FY2020 budget process.

### **Board Liaison Reports**

Dr. Hicks noted that the Senior Center Christmas party was well attended and that the Center has a lot of activity thanks to Director Pam Woodbury.

### **Citizen Input**

Nancy French, Crestview Drive said Ms. Woodbury has worked hard to get programs in place to take care of the senior residents.

Rose Hale, Crestview Drive, said during a yoga class had some personal belongings were moved to other rooms and was concerned that children with Donations for Dignity were unsupervised. Ms. Woodbury indicated that some doors are not locked due to issues with old locks. She is working with the Administrator to properly secure the building.

Al Atchue, Meadow Rd. thanked the Celebrations Committee and the Berthiaume's for coordinating another great parade of lights.

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

Mr. Monette heard a cannabis exposition was being held by Reliable Bud on December 8<sup>th</sup> at the Knights of Columbus and decided to go onsite to see what was happening. While there, he witnessed six illegal marijuana transactions and wants to discuss at the next meeting to consider revoking a prior vote to issue a letter of non-opposition to the organization. Chief Darrin will be present for the discussion on January 14<sup>th</sup>.

Ms. Berthiaume announced that the Christmas Parade was a great success. There were winnings in multiple categories. The Holiday Craft Fair was also a great success. Over \$1,000 was raised for Parks and Rec and some funds will go to the Celebrations Committee account.

The meeting adjourned 7:58 pm. All were in favor.

Respectfully submitted,

Brenda Savoie  
Executive Assistant

### **Referenced documents:**

Hazard Mitigation Plan  
Worm Town Genetics Revised Plan  
Bixby Rd. Sewer Easement  
Building Use Policy 68 Maple Street