



Minutes of the Meeting of the Board of Selectmen

Date: November 18, 2019 – 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 and Woodbury, and Administrator Gregory

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

A moment of silence was observed for Worcester Firefighter Lieutenant Jason Menard who was tragically passed away while in the line of duty on November 13th.

Announcement

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

None

Communications:

Residents are asked to complete a survey on Open Space and Recreation by December 1st. The survey is available on the Town Website, or by hard copy.

Citizen Input

Bill Shemeth, Dale Street, express his condolences to the family of Lieutenant Menard and his appreciation to Spencer Firefighters for the risk they take on every day.

New Business:

6:00 p.m. – Public Hearing – Review & Act on Annual License Renewals for Class II Auto Dealers, Class III Salvage Dealer, and Gravel Permit Operations for Calendar Year 2020

A motion to open the public hearing at 6:09 pm (Hicks/Berthiaume) passed 5/0.

There were no comments from the public.

Class II Auto Dealer License Renewal

Selectman Woodbury recused himself.

A motion to approve the 2020 Class II License Renewals (Monette/Berthiaume) passed 4/0.

1. Brian's Auto
2. Car Finders Now
3. Dennis' Auto
4. Easy Way Auto
5. Fernanda's Auto Sales

6. Hilltop Auto Sales
7. Main Street Auto Sales
8. NextGen Auto
9. Ronald Brown Auto Sales
10. Small Car Clinic (322 Main Street)
11. Spencer Motor Sales
12. Straight Line Auto
13. W.R. Central Auto Sales

Class III Salvage License Renewal

A motion to approve the 2020 Class III License Renewals (Monette/Berthiaume) passed 5/0.

1. Durgin's Valley Garage

Gravel License Renewal

A motion to approve the 2019 Gravel License Renewals (Monette/Berthiaume) passed 5/0.

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 at 6:18 pm (Hicks/Berthiaume) passed 5/0.

Review & Act on all other Annual License Renewals for Calendar Year 2020

A motion to approve the 2020 Class I License Renewals (Monette/Berthiaume) passed 5/0.

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

A motion to approve the 2020 Alcohol License Renewals (Monette/Berthiaume) passed 5/0.

1. Black & White Pizzeria & Grill
2. Charlie's Diner
3. Chef Sau
4. Either's Café
5. Granville's Pub
6. Mexicali Grille contingent upon a valid cert of inspection and TIPS certification
7. Spencer Country Inn
8. Yamato Asian Bistro
9. Zukas Hilltop Barn
10. Country Spirits
11. Liquor Barn/Mayank LLC

12. Spencer Package Store
13. Bayberry Bowling
14. Laney's Variety
15. Xpress Mart
16. American Legion
17. Spencer Fish & Game

A motion to approve the 2020 Common Victualler License Renewals (Hicks/Woodbury) passed 5/0.

1. Big Y Foods
2. Camp Marshall
3. Dairy Queen
4. Dashboard Diner
5. Dippin' Donuts
6. Edible Arrangements
7. Five Loaves Bakery
8. John's Pizza
9. Kosta's Café
10. Lincoln Hill Manor
11. McDonald's
12. Pizza Hut
13. Price Chopper
14. Speedway
15. Spencer Donuts, Inc. East Main
16. Spencer Donuts, Inc. West Main
17. Spencer Pizza House
18. Subway
19. Thibault's Country Store
20. Toupin's Catering
21. Village Pizza
22. Cistercian Abbey of Spencer-Trappist
23. St. Joseph Abbey Guest House
24. First Congregational Church
25. Mary, Queen of the Rosary
26. American Legion
27. Black & White Restaurant
28. Either's Café
29. Granville's
30. Mexicali Grille
31. New Fortunes, d/b/a Chef Sau
32. Spencer Country Inn
33. Spencer Fish & Game
34. Charlie's Diner
35. Yamato Asian Bistro
36. Zukas Hilltop Barn

A motion to approve the 2020 Innkeeper's License Renewals (Hicks/Woodbury) passed 5/0.

1. Spencer Country Inn
2. Zukas Hilltop Barn

A motion to approve the 2020 Amusement License Renewals (Hicks/Woodbury) passed 5/0.

1. Bayberry Bowling
2. Granville's Pub
3. Price Chopper
4. Either's Café

A motion to approve the 2020 Entertainment License Renewals (Hicks/Berthiaume) passed 5/0.

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

A motion to approve the 2020 Junk Dealer License Renewals (Hicks/Berthiaume) passed 5/0.

1. Comier Jewelers
2. William Ekleberry, Jr. Antiques
3. J & M Coins & Collectables

A motion to approve the 2020 Lodging House License Renewals (Hicks/Berthiaume) passed 5/0.

1. SMOC 126 Main Street
2. 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 (Woodbury/Berthiaume) passed 5/0.

6:30 p.m. National Grid Pole Hearing - Act on Request of National Grid to Install (1) JO Pole on Thompson Pond Rad, Plan #28761514

The hearing opened at 6:45 p.m. all were in favor.

Jeff Siver, representing National Grid said they are seeking to replace the existing tree guy with a wire on a stub pole, which will be further away from the edge of the roadway.

Superintendent Krukowski is in favor of this petition.

A motion to approve the request of Nation Grid as discussed (Woodbury/Hicks) passed 5/0.

The hearing closed hearing at 6:47 pm. All were in favor.

Review & Act to Extend Lease Agreement with National Grid for the Elm Street Parking Lot

Administrator Gregory advised the Board to extend the Lease Agreement with National Grid for the Elm Street Parking Lot for an additional three years; terms and conditions remain the same, and voters approved at the November 7th Special Town Meeting.

A motion to approve the request to extend the Lease Agreement with National Grid for the Elm Street Parking Lot (Woodbury/Berthiaume) passed 5/0.

Discussion on Battery Storage in Solar Installations

Dr. Hicks said he asked to have a discussion on solar battery storage, separate from the discussion with the SBAC scheduled for December 9th.

Paul Dell'Aquila indicated that there are two applications in process for solar battery storage. Dr. Hicks asked if approved, would a PILOT agreement be put in place. Mr. Dell'Aquila explained that PILOT agreements are calculated based on equipment valuation, therefore, the value of the batteries would be included in an agreement. Administrator Gregory noted that Town Meeting must vote to authorize the Board to enter into an agreement with an applicant.

Dr. Hicks said he is concerned with the potential fire risk and toxic fumes caused by these batteries, noting they are difficult to extinguish. He would like to put a hold on any approvals until the Board and the SBAC meeting and can determine whether to ban this type equipment. Mr. Gregory said there is no legal mechanism to stop the process from moving forward as it is legal and doing so, will open the Town to litigation. Mr. Dell'Aquila said there is no way to block current applications as both have been in process. Mr. Woodbury mentioned that homeowners with solar are allowed to have lithium batteries in their basements, which the Town has no control over. Chairman Pepe said discussion on implementing additional safeguards will take place at the December 9th meeting. In the meantime, Dr. Hicks advised Planning Board members to ensure the ground is protected with fire suppression in place. He would like the Fire Chief to provide recommendations at the next meeting.

Matt DeFosse, Paul's Drive doesn't want to see approvals for battery storage prior to the December 9th meeting since there is a of lack of knowledge concerning solar battery storage.

Old Business:

Review and Act on Senior Center Occupancy Issue

Mr. Gregory reported that Context Studios provided an addendum to their 2017 report on the Maple St. School, which confirms that a sprinkler system should be installed in the building. There is an appeals process which allows the Council on Aging to file with the State. He recommends waiting until after the time, to determine how to proceed.

Dr. Hicks noted that using the cafeteria only, will not meet the needs of the seniors.

Currently, the upper floors are being used for exercise, a library, a game room he and wants it to remain that way moving forward.

Chairman Pepe said the Town needs to be protected from potential risk and liability.

Mr. Woodbury noted that the Senior Center has become a dementia friendly community.

Council on Aging Chair, Chris Mancini asked the Board to pursue the installation of a sprinkler system during the appeal process and suggests \$315,000 be appropriated from free cash at a Special Town Meeting.

Mr. Gregory said construction value is in the \$300,000 range, plus the cost of an engineering design which is between \$30,000 to \$40,000 for plans and specs to go for bid. If \$300,000 is taken from free cash, it will have a devastating impact across all departments in terms of capital funding, and a withdrawal from stabilization may lead to a lower bond rating which would impact the Town's ability to borrow at a competitive rate. Chairman Pepe said funding options will be discussed at a future meeting.

A motion to open a Special Town Meeting Warrant for the purpose of funding an engineering design study for a sprinkler system for 68 Maple Street (Hicks/Monette) passed 5/0.

Mr. Gregory will review the process with Town Counsel for funding scenarios at a Special Town Meeting.

Town Administrator's Report

Mr. Gregory reported:

1. The Pleasant Street School bid has been awarded and the building is expected to be demolished by the end of December.
2. The Town was awarded an AARP Grant to install age appropriate equipment and amenities on the green space at the Sugden Block. The grant covers the cost of equipment and the Town is responsible for the labor expense.

Review & Act on Town Administrator Goals

Board Members will email Chairman Pepe their comments on the Administrator's goals by November 25th. Further discussion will continue at the December 16th meeting.

Board Liaison Reports

Dr. Hicks attended the recent SEBRSDC meeting and noted that they are on target and all is going well.

Charmin Pepe noted that the FMPC will hold meetings for Department Heads to present needs assessments.

Mr. Monette attended a CMRPC dinner and noted how the Town receives credit for CMRPC hours by attending the meetings and events. He also noted that surrounding towns are

taking notice of the many events in Spencer which Ms. Berthiaume helps to move forward along with Paul Dell'Aquila.

Citizen Input

Leo Doucette, 3 Jones Street asked about fighting fires on homes with solar batteries since they burn at a very high level.

Matt Defosse, Pauls Drive, said he was concerned about the solar installation located at 16 N. Brookfield Road which is behind his house and said he does not believe it is legitimate and would like Town Counsel to review. He encouraged the Board to pay attention to decommissioning.

Board Member and Staff Comments

Mr. Woodbury announced that a Tree Lighting will be held on November 30th, and a Craft Fair and Parade of Lights December 7th.

The meeting was adjourned at 7:57 pm. All were in favor.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: 2020 License Renewals; National Grid Pole Petition; Elm St Parking Lot Agreement; TA Goals