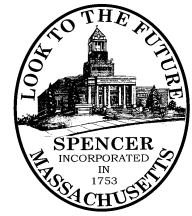


Minutes of the Meeting of the Board of Selectmen



Date: August 12, 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

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 July 8 and July 24, 2019

A motion to approve the minutes of June 10 and June 13, 2019 (Woodbury/Hicks) passed 5/0.

Vote to release previously approved Executive Session Minutes of September 26, 2016; June 12, 2017; July 10, 2017; July 17, 2017; August 21, 2017; September 9, 2017; November 16, 2017; January 23, 2018; & January 30, 2018

A motion to release previously approved Executive Session Minutes of September 26, 2016; June 12, 2017; July 10, 2017; July 17, 2017; August 21, 2017; September 9, 2017; November 16, 2017; January 23, 2018; & January 30, 2018 (Woodbury/Hicks) passed 5/0.

Communications

Spencer Fairgrounds

Mr. Gregory noted that the Spencer Agricultural Association submitted a request to hold the Spencer Fair and to have a one-way traffic pattern late this year and asked the Board how they wish to proceed. Selectman Woodbury suggested the Administrator make the approvals and work with the Police Chief on the traffic pattern. The Board agreed.

Citizen Input

Denise Lacroix read a letter which she previously submitted to the Board concerning drainage issues on her property at 182 Charlton Road indicating that the installation of drainage along Charlton Road beginning in 2017, has caused serious issues and damage to her property with flooding and erosion problems and she was recently notified that the Town would not be resolving the issue on her behalf and believes it is unacceptable and wants the drains rerouted or she will seek legal action.

Mr. Gregory noted that since the beginning, the Town has taken this complaint by the Lacroix's seriously. Lenard Engineering was hired to perform a study and submit a report, and U & F Superintendent Bill Krukowski completed a report outlining the steps taken to address the situation. The former U & F Superintendent Steven Tyler also made an earnest attempt to study the matter and attempt to find a solution. At this point, there is nothing else the Town can do.

Al Atchue, Meadow Road asked if residents could bring brush to the Transfer Station. Dr. Hicks suggested having a chipper for a few days a month. Superintendent Krukowski previously researched the costs associated with a chipping operation and determined it was cost prohibitive with the equipment expense and the lack of staff to monitor the operation. Chairman Pepe asked about the cost to offer the service few times per month. Mr. Krukowski said the cost is \$50,000. Mr. Woodbury pointed out that in the past, brush was comingled with metal pieces and caused equipment to malfunction. Mr. Krukowski will check into the disposal process for Christmas Trees.

Old Business

Review and Act on Request of the Knights of Columbus to utilize space on the third floor of the Maple Street School for the storage of Bingo Supplies

The Fire Chief and the Building Inspector walked through the Knights of Columbus current storage space to determine if their items they've requested were appropriate to store at the Maple Street School. The Building Inspector advised against storing the items since the building lacks sprinklers.

Frank White, member of the Knights of Columbus provided a list of additional items he would like to bring to the Senior Center. Mr. Gregory said since this is a new request, he will review and discuss with the COA Director.

Mr. Monette asked the Administrator and the Fire Chief to handle the request since there is no need for this to come before the Board again.

Review and Act on the Fire Department Policy: Response to Active Threat & Multiple Casualty

A motion to approve the Fire Department Policy: Response to Active Threat & Multiple Casualty, as written (Monette/Hicks) passed 5/0.

New Business

Discussion: Library Trustees on the Role of the Library in the Community

Library Trustee Rebekah Salamack and Director Cheryl Donohue were present to discuss the significance of the Richard Sugden Library as a community resource. Ms. Salamack read a statement on the importance of the building to the community and noted the need to keep the building in good standing and invest in the upkeep and maintenance to preserve the building.

Ms. Donohue read a letter from Katelyn Andrews and from Wendy O'Leary, both expressing their support of the library as a huge asset to the Town. Several residents came forward to express their support as well, including Paula Orcutt, Matt Defosse, Susan Foley, Jennifer Wilson, and her daughter, Maddie.

Chairman Pepe noted that the FMPC will begin a comprehensive study on the needs of the Town and the Library will be part of that study.

Update from the Economic Development Committee (EDC)

Chairman Pepe, who is also a member of the EDC, turned the meeting over to Vice-chair Monette and he and Paul Dell'Aquila presented an update on behalf of the EDC.

Mr. Dell'Aquila presented a Power Point on the EDC's plan for a Downtown Revitalization Strategy to create a more vibrant and walkable downtown. It includes analyzing what's been done in the past and determining how to take advantage of those initiatives, as well as creating partnerships with

property owners. Mr. Pepe said the plan is to increase entertainment and restaurant activity using a multi-pronged approach. The next step for the EDC will be community outreach. The Board is in support of these efforts.

Review & Act the Request to hold the Spencer Street Fest on August 24th and to Close Mechanic Street to Lloyd Dyer & Wall Street from 11 a.m. to 6 p.m.

A motion to approve the request to hold the Spencer Street Fest on August 24th and to close Mechanic Street to Lloyd Dyer & Wall from 11 a.m. to 6 p.m. (Monette/Berthiaume) passed 5/0.

Review & Act the Request from Barnstorm Cycles for a One-day Alcohol License for the Spencer Street Fest on August 24th from 11 a.m. to 6 p.m. at 24-28 Wall Street

A motion to approve the request from Barnstorm Cycles for a One-day Alcohol License for the Spencer Street Fest on August 24th from 11 a.m. to 6 p.m. at 24-28 Wall Street (Monette/Berthiaume) passed 5/0.

Review & Act the Request from Klem's for an Entertainment License to Hold a Ladies Night Event with Hardwick Winery providing free Wine Samples on September 26, 2019 from 6 pm to 9 pm

Jessica Bettencourt and Elizabeth Foresteire were present to request an Entertainment License to hold a ladies night event at Klems, with multiple activities and Hardwick Winery providing free wine samples. (Hicks/Berthiaume) passed 5/0.

A motion to approve the request for an Entertainment License to hold a ladies night event with Hardwick Winery providing free wine samples (Hicks/Berthiaume) passed 5/0.

Review & Act on Request to Division of Fish & Wildlife Funding for Browning Pond Boat Ramp Repairs

Dr. Hicks reported that Bonnie Booth with the Division of Fish & Wildlife, offered to assist with funding to improve the Browning Pond public boat ramp.

A motion to authorize Administrator Gregory to request assistance from the Office of Fishing and Boating Access for repairs to the Browning Pond boat ramp (Woodbury/Hicks) passed 5/0.

Review & Act on the Report of the Solar Bylaw Advisory Committee

Dr. Hicks noted that the report of the SBAC has been submitted and the Committee will present their findings at the September 9th Select Board meeting. The Town Planner will review the report and provide a statement on the findings to the Board at that time.

A motion to accept the report of the Solar Bylaw Advisory Committee and the review of the Town Planner (Woodbury/Hicks) passed 5/0.

Discussion: Donations for Dignity - Use of Maple Street School

Vicky LeBlanc reported that space was provided to her on the top floor of the Maple Street School for Donations for Dignity, an organization which started out to assist foster children, and has evolved to help anyone in need. She submitted a report to the Board and indicated that over the past year issues have cropped up.

Mr. Woodbury recused himself from the discussion since his name is in the report.

Ms. LeBlanc mentioned concerns with the need for CORI checks, being watched on security cameras, accused of causing damage to the elevator and being questioned about the hours of operation to access the building.

Mr. Gregory noted this is an unusual situation given the personnel involved. He has had multiple meetings with Ms. LeBlanc and the Director to work through the logistics and at this point, is a loss on how to respond.

After some discussion, there was a suggestion to have the Senior Center Director present to respond to the issues. Dr. Hicks noted his concern with a potential back-and-forth situation with a Town employee and asked the Administrator to speak with Town Counsel regarding the legality of the situation.

Further discussion will take place at the September 23rd meeting.

Review and Act on Request to Execute Host Community Agreement with Wormtown Genetics, LLC and Authorize & Sign Letter of Non-Opposition to Allow Wormtown Genetics, LLC to Site a Medical Marijuana Cultivation Facility at 503 Main Street, Spencer

Jason Moodley and Attorney Michael Maloney were present representing Wormtown Genetics, LLC.

Mr. Gregory reported that the Board previously authorized a letter of non-opposition that would allow Wormtown Genetics to submit an application for a Medical Marijuana facility to the Cannabis Control Commission; at this time a Host Community Agreement has been finalized and reviewed by Town Counsel and he advised the Board to approve and sign.

Chairman Pepe reminded Mr. Moodley that 503 Main Street it is a gateway into Spencer and said he fully expects the plans submitted by Mr. Moodley will be followed completely. Mr. Moodley agreed.

A motion to approve the request to execute a Host Community Agreement with Wormtown Genetics, LLC and to authorize & sign a letter of non-opposition to allow Wormtown Genetics, LLC to site a medical marijuana cultivation facility at 503 Main Street (Hicks/Monette) passed 5/0.

Review & Act on FY2020 Liaison Assignments

The Board agreed to discuss at the September 9th meeting.

Discussion/Update on Downtown Traffic/Pedestrian Signals

Administrator Gregory met with Superintendent Krukowski to discuss concerns from residents over the intersection of Pleasant and Main and the “no turn on red” traffic signal at the intersection of Maple and Main.

Mr. Krukowski explained that the Pleasant St. intersection is an exclusive red light in any direction and concurrent crossing can take place parallel to the traffic. This concept creates less of an impact to pedestrians provided certain conditions are met and in this case, he believes switching would be more dangerous and would create a significant backup along Route 9, therefore he recommends no changes to that intersection. Mr. Monette suggested a sign be installed on Wall St. to alert pedestrians to watch for vehicles turning onto Pleasant Street.

Mr. Krukowski indicated that the “no turn on red” signal at the intersection of Maple and Main is necessary due to the insufficient line of sight and has been studied by VHB, therefore for safety reasons, he recommends no changes at this intersection. Mr. Woodbury said he disagrees with the line of sight concerns, noting it’s been that way for as long as he can remember. Mr. Gregory pointed out that the final decision is up to the Board.

A motion to allow right turns on red for a one-year period at the intersection of Maple and Main and may revert back if issues arise (Hicks/Woodbury) passed 5/0.

Review and Act on SRF Loan Financing Agreement for Water Main Looping Project at Main and Greenville Streets

Administrator Gregory reported that loan documents for the \$2.2 million dollar Water Main project for Main and Greenville Streets are in order and advised the Board to approve and sign the documents.

The following motion made by Dr. Hicks and seconded by Mr. Woodbury, passed 5/0.

- (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$2,205,175 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed May 2, 2019 (Article 16), which authorized a total borrowing of \$2,389,175 for the drinking water project identified in such vote (the "Project");*
- (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$2,205,175;*
- (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement;*
- (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;*
- (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and*
- (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.*

Town Administrator's Report

Mr. Gregory reported the following:

- Spencer was awarded the Municipal Vulnerability Preparedness (MVP) Action Grant to construct the new Mechanic Street parking lot.
- FMPC project updates are posted on Town Website
- Town Hall parquet floors are being refinished and the exterior painting of the columns will begin in September
- FY2019 Revenue came in \$276,000 higher than expected and will become part of free cash
- The demolition of Pleasant Street School will take place in late fall
- The Home Rule petition to remove Spencer from the Burncoat Pond Watershed District is in process
- Citizens Energy will be mobilizing on the landfill soon with construction expected to be complete by the end of November.

Board Liaison Reports

Ms. Berthiaume reported that the DPHS Building Committee held the first meeting to review the process.

Mr. Pepe noted that the FMPC will be meeting to begin work on financial plans.

Citizen Input

Kurt Norquist, Gale Drive reported that the South Spencer Community Club is no longer interested in maintaining the South Spencer Schoolhouse and wants to turn it over to the Town. He will provide keys to the Administrator.

Board Member and Staff Comments

None

The meeting adjourned at 8:20 pm. All were in favor.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: FD Response to Active Threat Policy, Browning Pond boat ramp funding request, Solar Bylaw Advisory Committee, Wormtown Genetics, LLC Host Agreement, SRF loan financing agreement