# HOLDEN BOARD OF SELECTMEN MEETING MINUTES August 17, 2020

6:30PM

Senior Center

Present: Robert Lavigne, Anthony Renzoni, Tyler Gibbs, Geri Herlihy, Chiara Barnes

Others Present:

Peter Lukes, Town Manager

Stephanie King, Assistant Town Manager

Stephen Madaus (6:39PM) Liz Fotos, Town Recorder

Chairman Lavigne called the meeting to order at 6:30PM. The Board stood to recite the Pledge of Allegiance.

#### 1. Appointments, Licenses, and Permits

Motion by Sel. Renzoni, seconded by Sel. Gibbs, it was UNANIMOUSLY VOTED TO APPROVE THE OUTDOOR SEATING APPLICATION FOR THE LOCAL TAVERN PENDING MAKING THE NECESSARY CORRECTIONS OUTLINED IN THE LETTER SENT WITHIN 7 DAYS.

#### 2. Citizens Address

None

#### Appointments, Licenses, and Permits Cont.

Mr. Madaus entered the meeting at 6:39PM.

A motion was made by Sel. Renzoni and seconded by Sel. Herlihy to approve a food truck for Chick-fil-A to work with Seven Saws. The motion was opened up for discussion.

Mr. Lukes stated that the applicant did not submit this information in time for the meeting. He stated that the Board could approve it pending internal approval and grant him (Lukes) permission along with sign off from the Fire Dept, Building, Dept, and Board of Health.

Chairman Renzoni stated that he did not want to hold up Seven Saw if they could do this. He stated they needed food associated with their drink order and this could impact their ability to operate.

Sel. Herlihy asked what the timeline was and if this was for a single day. Mr. Lukes replied he did not know but that they could limit it through the end of August. Sel. Herlihy asked about parking and traffic.

Chairman Renzoni stated that they would need the inspector's recommendation but that he did not want to hinder a local business.

Sel. Herlihy stated she wanted the business to operate as well but there were still a lot of unanswered questions.

Sel. Gibbs stated that he has concerns with what Chick-fil-a has stood for in the past. He stated that he is not against the food truck but is against Chick-fil-a.

Chairman Lavigne stated that he does not think that they Board can ban businesses in Holden based on beliefs. He stated that he believes that to do so would fly in the face of the constitution and that laws of capitalism allowed them to operate.

Sel. Renzoni stated that it was very dangerous to sit here and talk like that and to not support something based on political and religious beliefs.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **VOTED BY A VOTE OF 4-1 TO APPROVE A PERMIT FOR FOOD TRUCK, CHICK FIL-A PENDING ALL NECESSARY SIGN OFF AS PRESENTED.** (Gibbs: no).

#### 3. Specialty Sandwich

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was UNANIMOUSLY VOTED TO OPEN THE PUBLIC HEARING FOR CHANGE OR ALTERATION OF PREMISES; SPECIALTY SANDWICH, CO, INC.

The attorney for Specialty Sandwich was present and stated they had constructed a 1190sq ft deck that seats 78 people and gives the place a new atmosphere.

Billy Gjinis, Owner, Specialty Sandwich was present. He thanked the Board for their support.

Chairman Lavigne recused himself from the matter as his daughter worked at Specialty Sandwich.

Sel. Renzoni opened it up for Pubic Comment; no members of public stepped forward.

Motion by Sel. Gibbs, seconded by Sel. Herlihy, it was **VOTED TO CLOSE THE PUBLIC HEARING FOR CHANGE OF ALTERATION OF PREMISES**, **SPECIALTY SANDWICH CO., INC. BY A VOTE OF 4-0-1** (Lavigne: recuse).

Motion by Sel. Gibbs, seconded by Sel. Herlihy, it was **VOTED TO APPROVE THE CHANGE OF ALTERATION OF PREMISES, SPECIALTY SANDWICH, CO., AS PRESENTED BY A VOTE OF 4-0-1** (Lavigne: recused).

### Appointment, License, Permits Cont.

Motion by Sel. Renzoni, seconded by Sel. Gibbs, it was, **UNANIMOUSLY VOTED TO APPROVE REBECCA GROCCIA**, **KATHLEEN DIXON**, **AND DOROTHY MITCHELL TO BE ELECTION WORKERS FOR A TERM OF 9/1/20 TO 8/31/21 AS PRESENTED.** 

# 4. Intermunicipal Agreement: Central Massachusetts Regional Stormwater Coalition FY 2021-2025

Mr. Lukes asked to hold off on this until the DPW Director was present.

### 5. Discussion of Cemetery Commission

Sel. Herlihy asked to table this matter for a different meeting as she had not had an opportunity to speak with the person that had bought this up to her initially.

#### 6. Town Manager Update

See Attached

#### 7. Citizen Use of School Property

Chairman Lavigne stated that there were many residents that were aggravated that they were unable to use school property. He stated that they had been asked to leave by the school district and that he does not feel this is right as this is Town property owned by the residents. He stated that he understands the district is busy but it took 4 weeks to approve the Senior Citizens walking at the track and this is his typical response.

Scott Carlson Holden resident, was present at the meeting. He stated that he has been chased by pick up trucks and john deer gators. He stated that he has found similar cases in Massachusetts State Law which allowed for public access to schools and buildings in a senate bill.

Craig Smith, Holden Resident was present at the meeting. He stated that he was dismissed from the field by an employee in a black pick up truck. He stated that they have had this discussion with Dr. McCall before and wanted to know why they were being evicted. He stated that they just voted to override and pay taxes and this is how they were treated. Mr. Smith stated that he understands that the schools are trying to control vandalism but there is no vandalism.

Mr. Smith shared two emails he had received and forwarded it to Chairman Lavigne. He stated that one of the emails stated that when they were on the baseball fields they were asked to leave.

Mr. Smith stated that they ask for help and the community always votes for the school and residents don't' want to be thrown off the property.

Glen Gaudette, 162 Jennifer Drive was present at the meeting. He stated that his kids all played sports and that the space was supposed to be open to the public and he does not know why people are being kicked off. He stated that the town fought together to get the Public Safety building and schools and this is how they are treated. He stated that every time the schools want to build good will it is around the budget time and he wants to know how he is going to continue supporting the district if this is how they are treated. He stated he has put three kids through those schools and his own kids have been told to leave by the police department who then themselves went back to use grounds for their own workouts. He asked why the Holden PD could use the grounds when their own tax payers could not.

Mr. Gaudette stated that his own kids go to Shrewsbury High School and other locations because they are allowed on those fields. He stated he is very disappointed and hopes the Board sticks up for the residents.

Sel. Herlihy agreed and stated that her daughter was with Mr. Gaudette's daughter when they were kicked out.

Sel. Renzoni thanked the Chair for putting this on the agenda. He stated that these properties are public properties, not Dr. McCall's. He stated that it is very inconsistent as well as other schools are not chasing residents off them. He stated that the district needs to be equal across the schools. He stated the grounds belong to Holden and the High School belongs to the district. He suggested writing a letter to the Superintendent.

The Board largely agreed that there were differences at different schools which was not acceptable and that a letter would be in order.

Chairman Lavigne agreed and stated that there has been a lot of inconsistencies regarding the Superintendents policy on the public and the fields. He stated that he did want to be clear that he has been on the board for 12 years and while he is happy to send a letter, he does not often get a response. He stated that the wanted to temper the expectations on this matter because he is not confident that they will get far.

Sel. Renzoni encouraged any citizen to use the fields and that he was happy to take a walk with them.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED TO AUTHROIZE THE CHAIR TO PEN A LETTER TO THE** 

# SUPERINTENDENT WITH REGARDS TO USE OF THE SCHOOL PROPERTY FIELDS.

# 8. Intermunicipal Agreement: Central Massachusetts Regional Stormwater Coalition FY 2021-FY2025

Mr. Woodsmall was present at the meeting. He stated that this Coalition was with Spencer and would be for the next five year. He stated that they have found great value in this and he would recommend that the Board authorized the Town Manager to enter into the next 5 years of the IMA.

Motion by Sel. Renzoni, seconded by Sel. Gibbs, it was UNANIMOUSLY VOTED TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO THE INTERMUNICIPAL AGREEMENT: CENTRAL MASSACHUSETTS REGIONAL STORMWATER COALITION FY 2021-FY2025 AS PRESENTED.

#### 9. Board of Selectmen Citation in support of Holden Police Department

Chairman Lavigne stated that he had sent out an email about two weeks ago when there was word that there was going to be a protest against Holden Police Department. He stated that there was some miscommunication and that he thought that they should show support. He stated at this point in time he wanted to hold off on putting this on the agenda.

#### 10. Discussion of HMLD/ W&S Early Pay Discount

Chairman Lavigne stated that there was a recommendation to discontinue the early pay discount but he wanted to bring it to the Board for discussion as they want to make sure they are helping residents where possible.

Sel. Renzoni stated that he appreciated the memo and the explanation. He suggested having this end in September in order to give residents time to prepare. Sel. Renzoni stated that he had bought up Rate Stabilization and Rate Reserves and was hopefully that they could discuss it further in December.

Sel. Herlihy asked if it ended in September, if the account would be okay for the year.

Mr. Woodsmall replied that he believed they would be.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED TO END THE BLANKET EARLY DISCOUNT FOR HMLD AS PRESENTED.** 

#### **Police Conversation Cont.**

Chairman Lavigne stated that the thought about this was to do something to support the Town Police in light of the good work they do. He stated that he does not think that the

police and fire departments get enough recognition. He stated that the Holden First Responders are highly trained and are often placed 1 or 2 in the academy.

Sel. Gibbs replied that he was one of the people that raised concerns with this. He stated that he did not know about the rally until he received notification but that the Board was quick to put this on as opposed to discussing citizens that were hurting. He stated that it was not a good look for the Town or the Board.

Sel. Herlihy stated that the last few months have been very tumultuous and that she had heard from a lot of citizens that people were upset by the presence of police at Eagle Lake. She stated that the Board had received a letter this week that laid out some of the issues and she thinks that there are two discussions. She stated that she does support the local Public Safety wholeheartedly but that she does wish there was more communication in Town as well. She stated that people in town are upset and that it didn't seem like much was being discussed about it.

Sel. Barnes stated that she did not know about the protest either but that she agreed with the other Selectmen, that she wanted citizens to feel like they were supported.

Sel. Renzoni stated that he had spoken with one of the leaders of the group and he stated that he would meet with them and bring appropriate concerns forward. He stated that he understood the other Selectmen but that it was separate from supporting the Holden Police.

Sel. Herlihy stated that she thought that they could support both. She stated as far as funding went, the Police Chief had to defend his budget line by line.

Sel. Renzoni stated that with regards to the letter, there has been no evidence that the Holden Police have participated in any hate crimes or that people were scared to go outside. He stated that he believes that the Board has the obligation to back up the Holden Police. He stated one thing that has not been mentioned was accreditation. He stated that based on what the officers do from day to day training and working on accreditation, until someone shows him that they are not doing the right thing, he wants to show appreciation for the job they do. He stated that the HPD is a great organization and often undermanned. He stated that no one has bought up any evidence of wrong doing.

Chairman Lavigne stated that he does not think one has anything to do with the other. He stated that just because they recognize one does not mean you are anti anything else. He stated as far as what happened to George Floyd was murder and there has not been one police officer that defended those actions. He stated that the police community said it was terrible and against their training. He stated that he understands the ramifications but that it can be turned into a positive. He stated that HPD is grossly understaffed and we border Worcester and another Town to the north that has the highest heroin addiction. He stated that HPD is doing a great job.

Sel. Gibbs stated that he does not think that anyone is criticizing Holden Police. He stated that he has not personally referenced Holden Police. He stated that if a black person leaves their house, they are scared and the Board has not had that conversation. He stated that he believes these are two different conversations.

Chairman Lavigne stated that the conversation he wanted to have was for the Board of Selectmen to show support for the Town employees that put on a badge.

Sel. Gibbs stated that he was showing support for people of color in the community. He stated that the Board did not have that conversation.

Chairman Lavigne stated that he believed it was two different conversations.

Sel. Gibbs stated he made a personal statement on his Facebook page because he wanted people to know that they could talk to him.

Sel. Herlihy stated that she thinks this began because someone heard that there would be a Black Lives Matter march.

Chairman Lavigne disagreed and stated that it was not a BLM March it was a March against Holden Police.

Sel. Herlihy stated that people were looking for answers and reassurances and they were not getting them from the Board. She stated that she wanted there to be more of a dialogue.

Sel. Renzoni stated that this body's purpose was to discuss the business of the Town of Holden. He stated that they cannot take up every social issue as that is not their purpose. He stated that he feels horrible with human trafficking but that is not the business of the BOS of Holden. He stated that if there is a march of people against the Holden Police he is going to stand behind the police. He stated that he agrees that these are two different issues.

Sel. Gibbs stated that he was not criticizing the police department and he agrees human trafficking is awful. He stated that he does not want to use one issue to belittle another. He stated that he is happy the Board is having this conversation now as it was a conversation that should have happened weeks ago. He stated he does support the people that protect us.

Sel. Gibbs stated that there are people in Town that are concerned with what is happening nationally and just because it was not a black person in Holden does not mean that black people in Holden were not impacted.

Chairman Renzoni stated that they get more praise for the police than criticism.

Board of Selectmen August 17, 2020

Sel. Gibbs agreed but stated that there was testimony from people of color that have bubbled up and compelled them to share their stories.

Sel. Renzoni stated that that did not belong here. He stated that if there was an issue with bullying or race in schools that should be bought to the schools and the school committee. He stated that if there were real concerns he would sit down with someone and understand them however he can not base a conversation on potential feelings or threats that have not been bought forward.

Sel. Gibbs stated that as a white person he would not know how a person of color feels.

Sel. Renzoni stated that this conversation was not on agenda. He stated that if anyone wanted to give him a reason to not support the citation for the HPD he would listen.

Sel. Gibbs replied that he knew what was on the agenda and he believes that it is tied to this conversation. He stated that he would sign and support the citation.

Chairman Lavigne read the proclamation into record.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOSULY VOTED TO ENDORSE THE CITATION IN SUPPORT OF THE HOLDEN POLICE DEPARTMENT AS PRESENTED.** 

#### 11. State Primary Warrant

Motion by Sel. Renzoni, seconded by Sel. Gibbs, it was **UNANIMOUSLY VOTED TO APPROVE THE STATE PRIMARY WARRANT AS PRESENTED.** 

#### 12. Discussion of Municipal Representative of Negotiations WRSD

Chairman Lavigne stated that the School Committee brings in one person from the five to represent the towns. He stated that this person is part of Executive Sessions. He stated that it is a way for the Board to have a part of this and they listen and learn about the WRSD. He asked if anyone was interested in this role. He stated that the first step was appointing someone from the Board and then there is a nomination on August 24, 2020.

Sel. Gibbs stated he was interested.

Sel. Renzoni stated that if Sel. Gibbs felt up to it, he could add to the vote that the Board nominated him for the position as well so that he was not in the position of nominating himself.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was UNANIMOUSLY VOTED TO APPOINT SEL. GIBBS AS THE VOTING MEMBER OF THE MUNCIPAL REP FOR NEGOTIATIONS FOR WRSD AND FURTHER INSTRUCT HIM ON

# BEHALF OF THE HOLDEN BOARD OF SELECTMEN TO NOMINATE HIMSELF FOR THIS POSITION.

### 13. Response to Citizen Address

None

#### 14. Selectmen Minutes

None

#### 15. Selectmen Miscellaneous

Sel. Gibbs stated that he saw the new drop box and it looked great. He asked to get it on Social Media so people were aware it was there.

Sel. Herlihy stated that she wanted to let the Gale Free Library know that they had done a great job and have pivoted often offering different services. She stated that Kevin McDonough worked with the kids and he had done a fantastic job.

Sel. Renzoni asked if they could get an update from the library giving a summary of the numbers they had been seeing.

Mr. Lukes replied that he would get that data.

Chairman Lavigne stated that the response and coverage from HMLD was very impressive through the tropical storm.

#### 16. Selectmen Subcommittee

None

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was UNANIMOUSLY VOTE BY A ROLL CALL VOTE TO ENTER INTO EXECUTIVE SESSION CITIGN MGL. CHAPTER 30A, §21 (a) 2. TO CONDUCT STRATEGY SESSION IN PREPERATION FOR NEGOTIATIONS WITH NON-UNION PERSONNEL AND TO CONDUCT COLLECTIVE BARGAINING SESSION OR COTNRACT NEGOTIATIONS WITH NON-UNION PERSONNEL (Town Manager) AND TO REENTER REGULAR SESSION FOR THE SOLE PURPOSE OF ADJOURNMENT. (Renzoni: yes; Herlihy: yes; Barnes: yes; Gibbs: yes; Lavigne: yes).

The Board reentered into Regular Session at 8:31PM.

Motion by Sel. Gibbs, seconded by Sel. Barnes, it was **UNANIMOUSLY VOTED TO ADJOURN THE AUGUST 17, 2020 BOARD OF SELECTMEN MEETING AT 8:32PM.** 

APPROVED: \_\_\_\_12/7/20\_\_\_\_



## TOWN OF HOLDEN

### **MASSACHUSETTS**

#### OFFICE OF THE TOWN MANAGER

Peter M. Lukes Town Manager

August 13, 2020						
TO:		Board of Selectmen				
FROM:		Peter M. Lukes, Town Manager				
SU	BJECT:	Town Manager Update		<b>,</b>		
1.	Assessor's Office – The Board of Assessors will be conducting residential cyclical inspections during the month of August on the following streets-Parker Ave, Glenwood St, Birch Ave, Doyle Rd, Tucker Rd, and Lanesboro Rd. The department data collector will be confirming exterior information and taking photos. He will have identification from the Town of Holden. Pink post cards have mailed in advance for properties on our schedule.					
	Information [X]	Vote [ ]	Signature [ ]			
2.	Town Pool – We will be attempting to keep the pool open as long as possible this season due to the fact that most of our summer staff will not be returning to school for in-person instruction. Depending on weather, attendance, and staffing, we will try to stay open until Labor Day weekend this year.					
	Information [X]	Vote [ ]	Signature [ ]			
3.	18 Industrial Drive – Bids for qualified subcontractors on the DPWF project were opened last week. The entire process was done electronically for the first time in the town's history. The electronic submissions help a great deal with organization and comparisons. Final General Contractor bids will be due Tuesday, August 18. At that time we will know if we have a project that will be within our budget or not. For comparison purposes, the sub-bids came in below our original cost estimates, which is a good sign but not determinative of the final project bids.					
	Information [X]	Vote [ ]	Signature [ ]			
4.	ECC Site Assessment – The Phase I environmental site assessment for the abandoned ECC property of Princeton Street has been completed by Fuss & Oneil. You may recall that this study was paid for through a grant from CMRPC. The site assessment is a first step toward cleanup and eventual redevelopment of the property. Town officials will be meeting with			s d		

DEP within the next week to seek funding for soil removal and further cleanup of the property. We intend to continue moving forward with the redevelopment process until the property becomes marketable and useable once more.

	Information [X]	Vote [ ]	Signature [ ]		
5.	Holden Lowest COVID Risk Community – Governor Baker released a color-coded map last week of communities at risk of COVID-19 based on case counts. Holden registered in "white" which means we've had less than 5 diagnosed cases in the prior 14 days. This designation sets Holden as a "low-risk" community for COVID-19 transmission. As of the publication of the new map, 318 out of the 351 communities in Massachusetts were listed in the two lowest risk categories, with the white color designation being the lowest.				
	Information [X]	Vote [ ]	Signature [ ]		
6.	Level Funding Local Aid in FY 21 – Governor Baker and legislative leaders have announced that they intend to level fund Local Aid (UGGA) in Fiscal Year 2021 to the same amount we received last year, along with Chapter 90 and school funding. This should put the town in a good position to meet all of our budget appropriations without the need for many cuts as we had previously expected. If the General Contractor bids for the DPW facility come in favorably this week, we will be in excellent shape for this fiscal year (FY21). Fiscal Year 2022 (next year) is the budget that will be challenging, as we expect state and local revenue to be down significantly due to the government shut down of so many businesses and the fact that Massachusetts has the highest unemployment rate in the nation at over 17%.				
	Information [X]	Vote [ ]	Signature [ ]		
7.	Retirement – We bid a fond farewell to Larry Josti, Line Foreman at the Holden Municipal Light Department, who worked for HMLD for twenty seven years. I attended his retirement party at HMLD and he said that he intends to stay active in the grandfather (and father business as well as fishing and other leisurely pursuits. We wish him well and thank Larr for his years of dedicated service.				
	Information [X]	Vote [ ]	Signature [ ]		
8.	Storm Damage – On the evening of August 4, a large wind and rain storm related to the tropical storm Isaias passed through Holden. Tree damage throughout town was extensive between the hours of 7:00 PM and 1:00 AM. Holden Police, Fire, DPW and HMLD all coordinated the town's response through our Wachusett Regional Emergency Communications Center (WRECC). All five departments collaborated with HMLD crews, who did an amazing job of restoring power outages as they arose. By the morning of August 5, we were reporting no outages. In comparison, there were still 135,000 customers throughout Massachusetts who did not have power that morning, many of whom remained without electrical service for several days following the storm. I want to express my gratitude as a Holden resident and HMLD customer to everyone involved in the rapid and				

thorough response that night, especially our crews at HMLD.

Information [X]

Vote [ ]

Signature [ ]

9. Senior Services – Although the Senior Center remains closed to normal business, we are trying to retain as many services as possible for our seniors. We intend to run the flu shot clinic in September and October. We advise people to either call the senior center for more info or watch for social media, website, and electronic sign notices in the near future. Shots will be administered under tents that will be set up outside and all social distancing protocols will be followed. We are also hoping to expand the "grab and go" meal program since we cannot hold the usual lunches that so many of our seniors are accustomed to. We will prepare the meals on site, as usual, but box them and hand them out curbside to those who order them. We are also looking into holding an outdoor version of the "Morning Glory Café" on Fridays again. Stay tuned for more announcements in the coming days,

Information [X]

Vote [ ]

Signature [ ]

10. Mass DOT Grant Award – The Town will be receiving a grant from Massachusetts Department of Transportation in the amount of \$165,000 for crosswalk/access ramps/sidewalk improvements, flashing crosswalk beacons, and new school zone warning signs outside of Dawson School and the town swimming pool at Dawson Recreation Facility on Salisbury Street. Our current system is outdated and weak from a public safety standpoint. The new and improved infrastructure will be a terrific upgrade to the location. Many thanks to Isabel McCauley of our Department of Public Works for her diligence in pursuing this grant.

Information [X]

Vote [ ]

Signature [ ]

11. Unaccounted for Water Report - Holden was one of six communities in Massachusetts to receive a Mass DEP American Water Works Association (AWWA) grant to undergo a M36 level II water audit. Ryan Mouradian, our Water/Sewer Superintendent summarized the report in a memo that I sent to the Board of Selectmen on July 30. The memo summarizes that Holden's UAW audit that was conducted by Weston & Sampson, the contractor that DEP utilized to conduct the study. The results show that Holden's UAW has not only gone down over the last several years, but that our Infrastructure Leakage Index (ILI) which is a key indicator of how well we're measuring our losses, is also at its best rating that we've received (1.14). ILI values range from 1.0 to 8.0, and an ILI in the range of 1.0-3.0 is considered "well managed" in terms of water loss.

Information [X]

Vote [ ]

Signature [ ]

12. AFG Award – We are excited to announce an Assistance to Firefighters Grant (AFG) has been awarded by FEMA to the Holden Fire Department in the amount of \$65,971 for the replacement of their SCBA Compressor. This piece of equipment is what the Fire Department uses to refill their breathing apparatus with air after it has been expended. We had delayed replacing the SCBA Compressor for a couple of budget cycles and it was on their five year plan for replacement in FY 22. Receiving this grant will help with next year's

Town Manager's Update -8-13-2020

budget which is anticipated to be very tight due to COVID-19 economic repercussions. Congratulations to Chief Russ Hall and his team for securing this grant.

Information [X]

Vote [ ]

Signature [ ]

Should you have any questions regarding these matters, please feel free to contact my office.

Peter M. Lukes

Town Manager

Cc: Department Heads