

**HOLDEN BOARD OF SELECTMEN
MEETING MINUTES
September 18, 2023**

6:30PM

Memorial Hall

Present: Stephanie Mulroy, Anthony Renzoni, Richard Bates (participating remotely), Thomas Curran, Geri Herlihy

Others Present: Peter Lukes, Town Manager
Steven Madaus, Town Counsel
Ms. King, Assistant Town Manager
Liz Fotos, Town Recorder (Participating remotely)

Chairman Mulroy called the Board of Selectmen meeting to order. The Board stood to recite the Pledge of Allegiance. Chairman Mulroy stated that Sel. Bates was participating remotely this evening and all votes would be taken by a roll call vote.

1. Appointments, Licenses, Permits

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE THE PARADE PERMIT, HOLDEN POLICE DEPARTMENT K9-5K FOR 10/15/23 AS PRESENTED.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED TO APPROVE BY A ROLL CALL VOTE A PUBLIC ENTERTAINMENT LICENSE FOR MAYO SCHOOL PTA, 10/21/23 AS PRESENTED.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED TO APPROVE BY A ROLL CALL VOTE A COMMON VICTUALER LICENSE FOR MAYO SCHOOL PTA, 10/21/23 AS PRESENTED.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED TO APPROVE A COMMON VICTUALER LICENSE, T&B FOODS, INC. AS PRESENTED.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

2. Citizens Address

None

3. Inclusive Park Committee

This agenda item was postponed to a future meeting

4. Special Town Meeting

Sel. Renzoni have we had a need for a requirement articulated to us from the district. I have a lot of angry residents but have not gotten anything from the district. He stated the board wants to resolve this, but they can't just call a town meeting without knowing what the meeting is for.

Chairman Mulroy stated that she had been following emails from Fin Com, Town Counsel, the Town Manager and others, and a lot of people were working a lot of hours trying to get this matter resolved.

Mr. Lukes stated that this matter was brought to his attention in July. He stated they went to Dawson Elementary and the request was specifically about adding two modular classrooms. He stated that the way it was presented, he could not remedy it at that time as the budget was already approved and he did not have available funds to do so. He stated his thought was to do a reserve fund transfer from the Finance Committee and he pledged to speak with Fin Com that day. He stated at the time a one year lease was 40K and the town was to pay for the lease and the district to pay for set up and construction and ancillary cost. He stated that conceptually he was on board. His recommendation was to move forward with this, but there were more questions that were not answered at this point.

Mr. Lukes stated one of the main questions is if there are sprinklers in the unit that they would deliver. If there are not, they would need to be, which would then require an engineer and design, permitting, and installment. He stated insurance also needed to be added and what kind of construction was necessary. He stated that they needed more detail and there were questions that needed to be answered. He did not have a number at this point. If they call a special town meeting we need the specific amount or reasonable estimate and we would have that by the time we got there because they are missing information. He stated right now we were thinking about a 4 year lease. He stated the cost could raise to \$350,000-\$400,000.

Sel. Renzoni stated that he thinks the town could absorb those costs and he was confident this could be passed at Town Meeting. He stated the problem they were running into is that it is a process thing, we have to go to town meeting and articulate what they are doing with the money. He stated that he suggested that the superintendent speak on behalf of this. He stated in a normal process we forecast these things a year out; it planned things over a year out.

Superintendent Reilly was present at the meeting with Mark Wild, Facilities Manager. He stated that one thing he wanted to speak about this was a circumstance that we were provided with an opportunity when we were looking at teachers in the district we had identified 8 classrooms that were well above what their capacity should have been. He stated when we began the budget cycle we tried to concentrate on that and advocate the hiring of additional teachers. He stated that he did not have a high level of confidence that we were going to do that, he stated that they thought they were going to deal with

this for a year. He stated that Dawson was at capacity not, over capacity. He stated some solutions they looked at are modular classroom purchase and lease are expensive options. He stated that he made the decision to not ask for that outlay of money when he was unsure of whether or not they would actually get the teachers. At the time he did not feel as though it was a good use of time or resources. He stated in hindsight he wished he approached it differently and he understands that they need to be forthcoming with this. He stated that they were originally thinking that if they added the additional teachers they would have needed to have a year of specials on carts. He stated that in conversation with Principal Wilde, she felt that this was not a great option as it would have taken away from the students and so she started to look at other options to make it for the next year. He stated it wasn't originally the library. He stated the plan that was put up was the best they could. He stated that if he was asked if he would rather deal with the space crunch with the additional teachers or the crowded classrooms he did feel as though this was the right decision. He stated that he was glad they advocated for the teachers. He stated that what changed was they met with some Dawson parents in July and they were particularly concerned about the library. He stated there was a parent that said they could acquire used modulars. He stated Mr. Wilde made calls and there was a two classroom unit that was local that had only been used for a year by Acton/Boxborough for testing and the prices were substantially less. He stated the lease number was \$160K vs. \$400K for 48 months vs. 40 months and that made them think that perhaps this was worth pursuing outside of when these projects would normally come in front of the town. He stated they saw this as a unique opportunity with savings and opportunity, he stated this was not meant to surprise anyone. They brought it to Fin Com and they recommended to move it to the Selectboard. He stated that he wanted to own his own poor management but that he wished he put this out there earlier but he did not think it would have been approved. He stated there were a lot of space issues in the district and this is a short term solution, but there needs to be some long term work. He started the Population and Facilities Task Force for the community to look at commissioning a long term study to look at the 5 towns and look at all options and to look at space like inter-district school choice with busing. He stated this is something that has not been on the front burner and feels as though we are about five years behind this issue. He stated another question Sel. Renzoni had was where we were at with the other two elementary schools in town and the answer was that they were about a classroom or two behind Dawson and the issues were coming. He stated they needed to get the work underway and see if they were looking at a particular cohort that would be gone over the next few years or if this was an ongoing issue going forward. He stated that he did not currently have those answers, but he did know they needed the data to prepare for it. He stated this was not the way they wanted to run things either.

Chairman Mulroy thanked the Superintendent. She stated that she appreciated that he walked into this problem that was years in the making and that she appreciated his candor and humility while dealing with this.

Sel. Renzoni stated that they heard articulated some of the needs today, but he does not appreciate that the town gets brought into after the fact. He stated he understands that he did some clean up. He asked how much time does the Town Manager needed to fix this

problem, we have to go in as close as possible. Holden passes schools always, and one of the things we need to solve is do we need to rezone or redistrict and re draw lines to forecast this growth. He appreciates the study. He stated tonight what are we looking for; two classrooms. Is the intent to tie this to the school a hard structure, a vestibular, tell us what you're asking for?

Mr. Lukes stated that there were still a large number of questions: ADA compliance, sprinklers, bathrooms, etc. He stated that once they trigger a threshold, they put themselves into a situation where they have to meet state procurement which adds to the cost, as well as to the timeline.

Sel. Renzoni asked if there were any other options; can we bus them someplace else. We are looking January 1 as an aggressive date. He asked what we need to purchase and are we looking at furnishing them as well.

Mr. Wilde, K-12 Facilities Director for the District. He stated Mr. Lukes was very gracious to give some time in July to get the ball rolling. He stated they looked at construction modular leasing and more. He stated that he secured them and those were promised to us, they could be onsite and delivered within two weeks. He stated there was concern with sprinklers, he stated by not permanently attaching them that it would solve the sprinkler problem, it is still a work in progress and they will bring in the Town Fire Chief as well. He stated if that does not work, we are looking into that. ADA compliance, we are prepared to do ramps which would be well under 10K. He stated as far as plumbing and tie in, we are not talking bathrooms we are talking just data and electricity. He stated they were not pursuing the options with the bathrooms, but the set up charge was 32K upfront and \$400 to lease. That would be an option, we would have to tie in water, and sewer would be held with a tight tank with a once a week removal. It would not look like a portable. He stated the electrical would tie into the school or go with a pole above the roof, both are options and both could be handled by the Town again under the 10K threshold.

Sel. Renzoni stated the number they were speaking about was \$35,000, because anything over that would be on the Town based on the Regional Agreement. He stated that you can't apply the pieces of the project. He state that putting the project together was not pieces. He stated he did not know where the district would get this from. He stated the district was not going to be giving in spots and this would strictly be coming from the Town.

Sel. Renzoni stated that the trailers were available without bid, but the town needs to understand all the other pieces of the project. He stated that HMLD will put up the electric, but that still comes as a cost to the Town.

Mr. Wilde agreed that this was a project that was being funded by the Town.

Chairman Mulroy stated that the question tonight was will this go before the Town in a Special Town Meeting. She asked the time frame of this.

Mr. Lukes stated that they spent a lot of time on this matter in the last week or so because they are in support of it. He stated the canopy was not sufficient for purposes of sprinkling. He stated a lot of these things will add to the cost and trigger the \$50,000 threshold. He stated there were a number of factors. He stated the lease was the easy part; the hard part was to make sure it was good with procurement and it has to last and all of this has complicated matters. He stated there is much more to this than just rolling them in and using them.

Chairman Mulroy stated the timeline expectations need to be tempered.

Sel. Curran thanked Mr. Wilde and Mr. Reilly for coming. He stated the space issues have been known for years and we could have probably built a school in that time. He stated that he was disappointed to be in this position now, but he does understand the urgency.

Sel. Curran asked about the lack of sprinklers, as this unit previously came from a school.

Mr. Wilde stated that there was a walkway from the school, but this unit never had sprinklers in it.

Sel. Curran asked why there was not a need there, but there was here.

Mr. Wilde confirmed there was not sprinklers in the modular now.

Sel. Curran asked about restrooms.

Mr. Wilde stated it was 24 feet away from the building, so close enough that bathrooms were not needed.

Mr. Reilly stated the modular solutions for bathrooms would be two standalone units. He stated that they could do single stalls.

Sel. Curran said that the Town Manager stated that acquiring the modular probably did not require the Town to go to public bid; he asked how to get from probably to definitely?

Mr. Lukes replied they likely did not need to.

Sel. Herlihy stated that at the Fin Com meeting she was under the impression that the modular did include bathrooms; she asked for confirmation.

Mr. Wilde confirmed they were separate trailers and separate costs.

Mr. Reilly stated that they was an option; 8x20 two units with holding tanks and a one-time conversion cost of 27K, delivery and set up would be \$4,500 and the monthly fee would be \$400.

Sel. Herlihy stated that was an additional issue; logistically to call a town meeting she asked what needed to happen.

Chairman Mulroy asked the question before the Board tonight, do we want to take this to Town Meeting?

Sel. Bates stated that he wanted to bring this, but we want to make sure the Board had accurate accounting, so he defers to the Town Manager regarding time and cost.

Sel. Renzoni stated that he wanted to appropriate everything needed to fix the wrong and fix it as fast as possible. Sel. Renzoni stated that the District needed to articulate what was needed; bathrooms or no bathrooms, and that they don't want the cheapest option, they want the option that fixes the problem and rights the wrong. He stated that if a structure is going in Town it's going by the book and then we can come to a number. He stated looking aggressively, October 9th or 16th they could look for Town Meeting.

Mr. Reilly stated Dawson needs classrooms and Dawson needs bathrooms. He stated its not that there is any back and forth; this has been an issue in town for several years. He stated they are just looking for a way forward.

Chairman Mulroy stated that the Superintendent does have the Boards support.

Kelly Lane, 162 Paxton Road, she stated she is a resident of Holden and has three kids at Dawson. She hopes that they can come and support the students tonight. The Town has experienced tremendous growth with no end in sight, and this has affected our schools as many are at or above capacity. She stated she is hopeful that the Town and District will start to work more effectively together so that what happens tonight is not a yearly occurrence. She stated that for this year, Dawson is over capacity and will continue to be so. In order to fit the load a teacher lounge was converted with 19 fourth graders. She stated the 19 are packed in an L shaped classroom with skinny rows and little to no room to move about. No grouping of desks, adding a quiet area for small group work or a teacher to work quietly with a student is difficult or impossible due to the room. There is literally no space. There is another small space occupied by 2nd graders. This is next to the door that enters and exits for recess. The noise level as students enter and exit for recess is also a concern. These constant interruptions make focus nearly impossible. Lastly we are the only school without a library. It was made smaller last year and now this year it is non existent.

Alison Febish, 10 Lexington Circle, was present at the meeting. She stated she has a 2nd grader in that classroom and is a Dawson alumni. She stated she is disappointed that we are in this position. She stated she is a library reader and she is passionate about the library. She the library is a huge benefit for learning, promoting independent learning, literary skills, promote love for learning, develop critical thinking skills, encourage creativity and imagination, and cultivate a sense of responsibility. Dawson is currently without access to a library, which means these students at Dawson are at a disadvantage

to their peers. While classroom teachers go above and beyond, it does not replace the benefits of having access to a library within our school. Imagine the challenges in those small classrooms to keep a well stocked classroom library. They are at a greater disadvantage.

Ms. Febish picked up where Ms. Lane left off on her letter. She stated Dawson students were not given access to a library as their peers were. They deserve to go onto a setting that promotes equitable learning. She stated that as a parent of a child in that classroom, an educator, and a resident of Holden that this is a town and district emergency that needs to be fixed. She asked the District and the Town to stop placing blame and to come together to come up with a solution to fix this issue for our students.

Danny Spencer, 19 January Lane, was present at the meeting. He stated that they moved to town about 10 years ago and are neighbors with about 8 new houses and another new neighborhood was built with about 30 new houses. He stated that he could have told you ten years ago that this was going to be a problem, and he does not know how they did not foresee this. He stated in response to budgeting teachers; it was like taking a loan out for a car and not budgeting the tires. He stated that looking ahead this is going to continue to be an issue and it needs to be addressed. He asked about how they were going to secure the building and if staff was being hired to walk kids in between the buildings; he felt like this was a big issue. He stated Dawson was promised a mobile library and this has not happened. He stated even prisons have libraries so lets get on this.

Gina Bollus, Jordan Road, was present at the meeting. She stated she was a Dawson mom and special needs mom. She stated her son was at Dawson and is now at Davis Hill, but that the TLC kids are now in the converted library that is being shared with the teachers lounge. She stated she understands that it takes time, but for these kids days matter and weeks matter. These are kids that range from on the spectrum to social and behavioral issues. She stated routine is important. These are kids that are already marginalized and any way we can speed up the process especially for these children would be appreciated.

Jeanne Hudson, Town Clerk, stated that she respectfully is asking to not consider October 9, 2023 for the Special Town Meeting. She stated the Board was about to sign the warrant for the 10th for the State Primary and it would be administratively difficult to do both.

Sel. Renzoni asked how long it takes to reset the machines.

Ms. Hudson replied she needed three days.

A motion was made by Sel. Renzoni to set a special town meeting for October 16 2023, it was seconded by Sel. Herlihy. Sel. Renzoni wished to speak to the motion.

Mr. Lukes asked if the High School was available. Mr. Reilly stated that it would be.

Se. Renzoni stated the Board needed to meet two weeks prior to the 16th and have a warrant set. He stated this puts on notice any other Boards and Committees that may have a matter that would require a Special Town Meeting if they intended to ask for an article. He stated that the process protects the town and it has to be done right. He urged the Board to pass this and if they have to come back to set a different date then so be it, but this puts the wheels in motion.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO SET A SPECIAL TOWN MEETING FOR OCTOBER 16, 2023 AS PRESENTED.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

Mr. Lukes advised the Board that their meeting was set for October 2, 2023 but that a vote for the Warrant that night would not meet the requirements so the Selectboard would need to meet prior to that date; it should be done by September 29, 2023.

Chairman Mulroy called a two minute recess. Chairman Mulroy called the meeting back to order.

5. Town Manager Update

See attached

6. Special State Senate Primary, 10/10/23

Motion by Sel. Curran, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO HOLD A SPECIAL STATE SENATE PRIMARY ON 10/10/23, AS PRESENTED.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

7. Selectmen Minutes

None

8. Selectmen Subcommittee

Sel. Curran stated that the Holden Community Garden Committee had an open house and it was a success.

Chairman Mulroy stated that she wanted to connect with him with regards to beautifying the planters.

Sel. Renzoni stated the Inclusive Playground Committee had been meeting every two weeks and would be meeting again tomorrow night. He stated that they had their initial drawings completed and had gotten more input from the community. He stated that he

did not believe they would be ready for Special Town Meeting in October, but he would work with them in order to have them come to the Board for a briefing.

9. Selectmen Miscellaneous

Sel. Renzoni asked for recommendations from the Police Chief for Halloween Hours as per the Board of Selectmen Handbook they needed to take a vote to set hours.

Motion by Sel. Renzoni, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO ADJOURN THE SEPTEMBER 18, 2023 BOARD OF SELECTMEN MEETING AT 7:52PM.** (Bates: yes; Curran: yes; Herlihy: yes; Renzoni: yes; Mulroy: yes).

APPROVED: 1/22/24