

**HOLDEN BOARD OF SELECTMEN
MEETING MINUTES
August 21, 2023**

6:30PM

Senior Center

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

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

Not Present: Geri Herlihy

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. Citizens Address

Dave White, 84 Wachusett Street, stated that he noticed on the agenda an item to discuss the appeals process for sewer connections. He stated that he viewed the role of town government as trying to make town government work for everyone and he thinks that in their capacity as Water Sewer Commissioners to make sure it does works for everyone. He stated that some people have said that these items are technical issues that are too specialized for regular citizens to be decision makers but that he thinks the Board can listen to discussions and make reasonable assessments and decisions. He stated that the court case was a great example of that. He stated that normal citizens that are not in discipline can make the right decisions. He stated that he thinks this Board has the intelligence and can listen to differing opinions and make wise decisions.

2. Appointments, Licenses, Permits

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE TRACY ACITO TO THE CULTURAL COUNCIL FOR REAPPOINTMENT FOR A TERM OF 7/20/23-7/20/26 AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE CHRIS HUGO TO THE AGRICULTURAL COMMISSION FOR A REAPPOINTMENT FOR A TERM OF 7/17/23-7/17/26 AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE NANCY KIELINEN TO THE ZBA AS AN ALTERNATE FOR A TERM TO EXPIRE 8/21/26 AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO REAPPOINT KIMBERLY LYNCH AS A CONSTABLE FOR A TERM OF 9/14/23-9/13-26 AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

3. Water/Sewer Appeals Process

Sel. Renzoni asked to hold this matter until the next meeting for a vote to ensure everyone was working off the correct version and that the Water/Sewer Advisory Committee was able to review the document as well.

Mr. Lukes asked for confirmation on the latest version.

4. Public Hearing; On Premises, Restaurant All Alcoholic Beverages Liquor License, T & B Foods, Inc.

Chairman Mulroy asked if they had a license previously for alcohol.

The representative replied that they had previously had a beer and wine license. Mr. Lukes confirmed this and stated that the beer and wine license had since lapsed.

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO OPEN THE PUBLIC HEARING FOR ALL ALCOHOLIC BEVERAGES LIQUOR LICENSE, T & B FOODS, INC. AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

No members of the public wished to comment on this matter.

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO CLOSE THE PUBLIC HEARING FOR ALL ALCOHOLIC BEVERAGES LIQUOR LICENSE, T & B FOODS, INC. AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE THE ALL ALCOHOLIC BEVERAGES LIQUOR LICENSE, T & B FOODS, INC. AS PRESENTED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

5. ADA Grant Findings Presentation

Mr. Lukes stated that this was part of the work that the Town had been doing to update and renew Holden's ADA policies. He stated that as part of that process members of MA Office of Disabilities gave a presentation to the BOS.

Connor from CMRPC was present, along with two other gentlemen, to present to the Board a simplified process of an ADA plan. He stated that they also help with the grant process and bring all this information forward to the BOS. He stated that there was a grant open now for capital projects and he recommended moving forward with that.

Mike (no last name given) was present at the meeting on behalf of Center for Living and Working, he thanked the Town for choosing them to come up with the plan. Jim (no last name given), CLW, was also present at the meeting.

Jim gave an overview of the ADA laws and regulations. He stated that the plan had four sections, the front end, the self evaluation piece, the transition plan, and the appendices. He stated there is also a section on funding.

Mike stated that under Title 2 a municipality is required to have a designated responsible employee as an ADA coordinator. He stated that person must have and distribute material, maintain and upkeep accessible features and provided services that provide communication to those with disabilities. He stated they also must have an appeals process in place. He stated the Town of Holden does not have a Commission on Disability and that it is recommended that through Town Meeting they adopt a Commission. He stated that the town should also have an ADA Coordinator to help ensure everything is compliant. He stated that Stephanie King is the current coordinator. He stated that there should be a public notice that should be formally adopted by the BOS as well. Mike stated the purpose of the grievances process is that it encourages local resolution. He stated they have a sample for the town to review as well. He stated that the Town does not have a Reasonable Accommodation Policy and that should be adopted. He stated currently job postings all (with the exception of the police) had reasonable accommodations and non discrimination language in the postings. He stated that as they were observing they saw that there were violations of accessibility features such as missing protective, items stored in wheel chair lifts, classroom sinks had shelves under the knee clearance and were filled with supplies, and parking spaces had snow plowed into them.

He stated that for effective communication during Town Meeting, the Town should purchase a listening system as well.

Mike stated that the guidance provided in Chapter 7 of this document should be followed. He stated that notification to persons of disabilities should be included in the plan.

He stated that the items he touched on were the abridged version and that they were of course available for questions after in addition to providing the document that was more detailed.

Jim went over how to read the report and how to determine priority in an easy manner. He went over different buildings including town buildings and schools, protruding objects, parking, stairwells, ramps, drinking fountains, bathrooms and more. He specifically outlined non compliant items in town and stated that there were recommendations provided to help the town remedy these issues.

Chairman Mulroy thanked them for coming. She indicated how important it was to the Board and the Town to have all the buildings and amenities accessible for all ages and abilities and that she looked forward to reading the report in more detail and working to get the town in a better place regarding the outlined items.

Sel. Renzoni thanked them for coming out; he indicated that he was the liaison to the Inclusive Playground Committee and that some of what they were discussing were things that Committee had also highlighted.

Sel. Renzoni suggested to the Board that they ask the Town Manager to propose actions based on the report and at some point go through the priorities and see where they can incorporate any of the recommendations that made sense to them. He stated that he would love to further this conversation. He asked CMRPC to pull out any school specific recommendations in the same format so they could pass this along to the School Committee.

Chairman Mulroy stated that one of the things highlighted was to establish a Commission on Disability. She stated that was one thing she wanted to look further at in the coming year to see if that was something that would work in Holden.

Sel. Curran asked about the time frame to complete these items.

Jim replied that different items were recommended in different time frames and it was outlined in the report.

6. Town Manager Update

See Attached

7. Building Naming Policy

Chairman Mulroy stated that the policy she is looking at looked good, however she questioned if they should make it so that it was required to meet number 7; compelling and exceptional facts or circumstances that justify the towns on going and permanent recognition. Plus one more of the seven should be met.

Sel. Renzoni asked Sel. Bates to weigh in on this as he was instrumental in this language.

Sel. Bates agreed with that change.

Sel. Renzoni stated that he suggested another item be added to include a five year period for a reapplication on an honoree who does not achieve a positive vote from the Board of Selectmen as it relates to their proposal.

Chairman Mulroy agreed with that so that the vetting process was more difficult.

Sel. Curran asked if the five year period seemed too long for a reapplication.

Sel. Bates stated that he felt five years was a long waiting period and thought three could be a more appropriate time frame.

Sel. Renzoni stated he thought ten originally but he would go along with three to pass the policy.

Motion by Sel. Renzoni seconded by Sel. Bates, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO ADOPT THE TOWN BUILDING NAMING POLICY AS AMENDED.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

8. Finance Committee and Board of Selectman Roles in Budget Process

Sel. Renzoni stated that this was settled throughout the last budget season.

Mr. Lukes stated that it was a request from the Finance Committee Chair to engage in this process with Town Counsel to get their legal opinion.

Sel. Renzoni stated that he thought this was settled and that he was unsure of the value of having Town Counsel reprint the email he had already sent and worked on. He stated that he contended that Fin Com makes recommendation as it relates to the budget. He stated that Fin Com is empowered by Town Meeting and they can request any employee or any documents for their hearings throughout the year. He stated that process seemed to be working and he said that the Board generally supports what Fin Com puts forward. Sel. Renzoni stated that originally he contended that they make a recommendation but the Board puts the warrant articles together; but he was not correct. He stated that they put it in front of Town Meeting and if they disagree then the Board can stand up as individuals or a Board and make a motion to amend what Fin Com presented. He stated that he did not need to go any further on this. He stated that there was some conversation about doing the front end work and broadcasting the Fin Com meetings ahead of time and then moving one financial article as a budget item at Town Meeting. He stated the purpose of this would be take out some of the heavy language and financial terms ahead of Town Meeting but still give interested parties that chance to hear the intricacies of the numbers ahead of the vote.

Chairman Mulroy stated she was interested in having this conversation as it would make Town Meeting more accessible and have more people educated and involved.

Sel. Curran stated it was an interesting idea to broadcast the meetings.

Sel. Renzoni stated that he meant to broadcast a meeting pertaining to the budget; he stated it would be up to Fin Com if they choose to broadcast their regular meetings.

Sel. Bates asked what the issue was and why the Chair of the Finance Committee was requesting this to be reviewed with Town Counsel.

Mr. Lukes stated the request was for a full legal opinion from Town Counsel. He stated his question was to the Board as he takes direction from the BOS not from Fin Com.

Sel. Renzoni stated that if Fin Com wanted to have this matter looked into the request should have been to the Board of Selectmen, not to the Town Manager. He stated that Chair to Chair they could figure out what exactly Fin Com was requesting.

Mr. Madaus stated that he had issued a letter in April regarding this matter and he thought it addressed the questions; he stated he was unsure what more he could add.

Chairman Mulroy stated that it was a conversation she could have with the Chair of Fin Com to see what exactly he was looking for.

9. Interim Compliance MBTA Communities Program

Mr. Lukes stated that they were at a standpoint. He stated legal action was filed and that they would be meeting with Town Counsel tomorrow (August 22, 2023) to discuss legal strategies as it pertained to this matter. He stated that they looked forward to having some firm answer from the court.

10. Response to Citizens Address

Sel. Renzoni stated that he could not agree with Mr. White any more. He stated that they have been spearheading this effort and he appreciated Mr. White's comments.

11. Selectmen Minutes

None

12. Selectmen Miscellaneous

Chairman Mulroy stated that she was happy to see the 90% funding for transportation.

Sel. Renzoni stated that at Holden Days they will be walking around and available.

Sel. Renzoni stated that the Cannon Ball Contest was great and thanked the Police Chief and all those that were involved for all they do in Town.

13. Selectmen Subcommittee

Sel. Renzoni stated that he had been attending the Accessible Park Committee meeting and they hope to have preliminary numbers. He stated they also have a plan and that they will be at Holden Days to answer any questions that residents may have.

Motion by Sel. Renzoni, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO ADJOURN THE AUGUST 21, 2023 BOARD OF SELECTMEN MEETING AT 8:18PM.** (Bates: yes; Curran: yes; Renzoni: yes; Mulroy: yes).

APPROVED: 1/22/24