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Randall V. Becker Chairman  
Donald D. Bourque, Vice-Chairman  
Andrew Jolda, Secretary  
Lisa Kontoes  
Earl Gabor

**BOARD OF SELECTMEN**  
**REGULAR SESSION MEETING MINUTES**

**Monday, July 15, 2019, 6:00 P.M.**

Webster Town Hall, Board of Selectmen's Meeting Room, 2<sup>nd</sup> Floor  
350 Main Street, Webster, MA 01570

**MEETING OPENING:** At 6:00 p.m., Chairman Becker called the meeting to order. The following individuals were present: Chairman Randall Becker, Selectman Bourque, Selectman Andrew Jolda, Selectman Earl Gabor, Selectman Lisa Kontoes, Town Administrator Douglas Willardson, and Executive Secretary Courtney Friedland. The Board stood and took the Pledge of Allegiance.

Chairman Becker took a moment of silence for retired Police Chief Richard Bergeron. Chief Bergeron came to the Webster Police Department in 1996. He is credited for his passion which allowed for great strides to be made by our Department during his tenure in the ways of much needed technological advancements and Officer training. Also, Chief Bergeron strongly encouraged his Officers to pursue higher education and to obtain College Degrees. This improved the Departments service to the people of Webster, with an eye on continuing the trend in the future.

Chairman Becker took a moment of silence for Amanda Dabrowski who was part of the Webster Community and was taken away from her friends and family twelve days ago in a heinous and senseless act of violence. She was a beautiful young lady that was loved by everyone that knew her. A moment of silence was to honor, remember and pray for Amanda and offer condolences to her mother, Beth, her father, Ed and her sister, Vicki.

**Meeting Minutes**

**Motion by Selectman Gabor, seconded by Selectman Jolda, to approve the meeting minutes of June 10, 2019. The motion passed unanimously.**

**SWEARING-IN PHILLIP HURTON-PATROLMAN:** Chief Shaw stated it was a great pleasure to swear-in Phillip Hurton as a Patrolman. He stated this appointment will bring the Department to full staff. He stated that this appointment is a lateral transfer from Framingham and Officer Hurton brings a wealth of knowledge. He has a Master's Degree and will be very beneficial to the Department. Town Clerk Robert Craver swore Officer Hurton in. The Selectmen welcomed Officer Hurton and congratulated him on joining the Webster Police Department.

**ANGELA SARNA – APPOINTMENT TO THE ECONOMIC DEVELOPMENT COMMITTEE:** Mr. Willardson stated he has met with Ms. Sarna and she has attended an EDC Meeting. He stated she doesn't live in Town but works in Town and is very active in the community. He stated he would recommend this appointment.

**Motion by Selectman Bourque, seconded by Selectman Kontoes, to approve the appointment of Angela Sarna to the Economic Development Committee. The motion passed unanimously.**

**STASIA LECLAIR – APPOINTMENT TO THE COUNCIL ON AGING:** Ms. Leclair stated she is a long-time resident of Webster and would love to be part of the community.

**Motion by Selectman Bourque, seconded by Selectman Gabor, to approve the appointment of Stasia Leclair to the Council on Aging. The motion passed unanimously.**

**JEANNE MAKARA – APPOINTMENT TO THE COUNCIL ON AGING:** Ms. Makara stated she has lived in Webster most of her life. She graduated from Bartlett High School and was looking to get involved in the community.

**Motion by Selectman Bourque, seconded by Selectman Jolda, to approve the appointment of Jeanne Makara to the Council on Aging. The motion passed unanimously.**

**BI-ANNUAL DEPARTMENT REPORT FROM THE POLICE DEPARTMENT:** Chief Shaw stated he would like to meet with the Board on a bi-annual basis to keep them up to date on what is going on with the department. He reviewed a presentation with the Board. The long-term goal of the department is to make Webster a safer community to live and work. They have a great working relationship with other departments and local agencies. Another goal is to update the written rules and policies for the Police Department. The short-term goals for the department would be to maintain staffing and increase marine patrols. Mr. Willardson stated there will be some retirements coming in the Fall. Chief Shaw stated from 1/19 to 7/19 there has been 659 arrests, 1516 citations, 214 accidents, and 707 incidents reported. He stated all of these are up from this same six month period the prior year. He stated having a full staff and doing proactive patrols helps with increasing these numbers. They have been active with both newsworthy activities and Community Policing Programs. The Opioid Task Force has been very beneficial. The Task Force has partnerships with the Phoenix organization and the Reconciliation House. The Police Department conducted ALICE Training at area churches and bi-weekly visits to CDU at Harrington Hospital. Chairman Becker asked if things are getting better with the opioid problem in Town. Chief Shaw stated things are getting better but they still have a long way to go. He stated Narcan is more prevalent. He stated Town Meeting recently declared two patrol boats surplus. They are looking to purchase a new boat with the sales proceeds. Selectman Gabor asked if he has seen any impact on the change of law for marijuana. Chief Shaw stated they are seeing a lot more use of it, especially in vehicles. He stated a lot more people are growing marijuana. Selectman Kontoes asked what areas the citation increase was caused by and if the Chief had a breakdown of the infractions. Chief Shaw stated he would provide a breakdown but would assume it was for speeding. Selectman Jolda asked if the Police Department had the comp stat reporting software. Chief Shaw stated they have not received the software. However, the Town is implementing an integrated system that works with other departments within the Town.

**PUBLIC HEARING – NATIONAL GRID:**

**Motion by Selectman Jolda, seconded by Selectman Bourque to open the Public Hearing for Nation Grid's request to install 1 JO Pole at the intersection of Wakefield and East main Street and to install P10-84 with 32'C2 pole with anchor/guy to support P10. The motion passed unanimously.**

Vinny LoGuidice from National Grid came forward. He stated the pole is currently supported by a tree that is not in good condition. He stated National Grid would like to support the pole with a guy wire.

**Motion by Selectman Jolda, seconded by Selectman Bourque to close the Public Hearing for Nation Grid's request to install 1 JO Pole at the intersection of Wakefield and East main Street and to install P10-84 with 32'C2 pole with anchor/guy to support P10. The motion passed unanimously.**

**Motion by Selectman Bourque, seconded by Selectman Jolda to approve Nation Grid's request to install 1 JO Pole at the intersection of Wakefield and East main Street and to install P10-84 with 32'C2 pole with anchor/guy to support P10. The motion passed unanimously.**

**SELECTMEN'S APPOINTMENT TO THE HIGH SCHOOL BUILDING COMMITTEE:**

**Motion made by Selectman Bourque, seconded by Selectman Gabor to appoint Selectman Kontoes to the High School Building Committee. The motion passed unanimously.**

**SELECTMEN APPOINTMENT TO THE ADA COMMITTEE:**

**Motion made by Selectman Bourque, seconded by Selectman Gabor to appoint Selectman Jolda to the ADA Committee. The motion passed unanimously.**

**SELECTMEN'S APPOINTMENT ALTERNATE TO THE SWCCC COMMITTEE:**

**Motion made by Selectman Bourque, seconded by Selectman Kontoes to appoint Selectman Gabor to the SWCCC as an alternate. The motion passed unanimously.**

**SAFETY COMMITTEE RECOMMENDATIONS:** Mr. Pizzetti stated traffic in Webster has picked up. He stated he is seeing a lot more trucks coming through Town. He stated there have been some issues with GPS taking trucks the wrong direction and having them go down very narrow streets. He stated the Committee has recommended additional signage. Selectman Gabor asked if "Slow Children" signs stay up even after they are grown up and move out of the neighborhood. Mr. Pizzetti stated he goes along with the State that recommends leaving the signs up. Selectman Kontoes asked where the cost of all these new signs are paid from since they seem like they are the result of residents' requests. Mr. Pizzetti stated the signs cost roughly two hundred dollars per unit and the Town pays for them. Selectman Kontoes asked if there have been any accidents at Elm Street and Myrtle Street. Mr. Pizzetti stated there was an accident there around a year ago. He said traffic has changed and there is more activity in the area. He said neighbors had concerns. Selectman Kontoes stated she had some concerns with making that a 4-way stop. She asked if they had any data on the volume of cars that use that road. Mr. Pizzetti stated they had a discussion as a Board and although there isn't a lot of accidents the road does narrow. Mr. Willardson suggested holding off on recommendation C for six months. Mr. Pizzetti agreed and stated they will monitor the situation.

**Motion by Selectman Bourque, seconded by Selectman Gabor to approve items A & B of the Safety Committee's Recommendation. The motion passed unanimously.**

**REQUEST FOR SOLAR ARRAY AT 13 RAY STREET:** Mr. Willardson stated he recommends the Board allow this for the tenant of 13 Ray Street so that he could sustain the Museum for years to come. He stated the museum is a benefit to the Town and would like to help the tenant keep it open. Selectman Gabor asked if the back grassy area was included in the lease. Mr. Willardson stated it part of the lease and it will be fenced in.

**Motion made by Selectman Jolda, seconded by Selectman Gabor to allow the tenant to apply to the Planning Board for the development of a 25kWh solar array at 13 Ray Street. The motion passed unanimously.**

**OPEN SPECIAL TOWN MEETING WARRANT:** Mr. Willardson stated a By-Law was recently approved at the December Special Town Meeting to allow residents who live on a private way to petition the Town to pave it. He stated when the Town paves a private way it will cost more because the Town has to pay prevailing wage for any labor performed. He stated it would be cheaper and easier for all of the neighbors to agree and have it paved without the Town. He stated he received a citizen's petition to pave Loveland Road. Dr. Godzik came forward and stated she wrote the Board a letter which she submitted before the meeting. She stated Mrs. Arsenault and herself just found out about the petition. She stated she went to the Clerk's Office and article 12 of the Special Town Meeting in December was put on hold from the Attorney General's Office. Mr. Willardson stated he spoke with counsel and they stated this By-Law will take effect from the time of posting and they can proceed with this citizen's petition.

**Motion made by Selectman Bourque, seconded by Selectman Gabor to open the Special Town Meeting Warrant for Monday, August 12, 2019, at 6:00 p.m. at Bartlett High School. The motion passed unanimously with Selectman Jolda recusing.**

**COMMUNITY HOST AGREEMENT – MUNRO ASSOCIATES:** Mr. Willardson stated Munro Associated and the Town of Webster have come to an agreement for a retail marijuana sales facility at 70 Worcester Street. He stated the proposed Host Agreement was written and approved by Town Counsel. Selectman Becker asked if this was in line other Host Agreement signed by other Towns. Mr. Willardson stated all of the thresholds are set by the CCC.

**Motion made by Selectman Bourque, seconded by Selectman Jolda to enter into a Community Host Agreement for the retail sale of recreational marijuana at 70 Worcester Street #225 with Munro Associates. The motion passed unanimously.**

**DEPARTMENTAL QUARTERLY UPDATE:** Mr. Willardson stated the Dudley / Webster IMA operations and maintenance reimbursement true-up process continues. The Town Accountant's Office has reviewed and analyzed authorized and unissued debt and projected balances forward to 6/30/19. Preliminary tax bills mailed approximately 6,800 bills and \$12.5 million. Tina Landry has collected over \$400,000 from Athena. She has sent out delinquent water/sewer notices. The Board of Health is working on regulations for nail salons which will likely be adopted next quarter. The Town is working with Town Counsel regarding demolition orders for 124 High Street, 168 Chase Ave, and 41 Main Street. Mini-mart is in the demolition process. The Fire Department's front apron was paved and we are working getting the north side parking lot done as well. The Highway Department is busy with road operations - Sweeping Program - Painting Program (stop lines - crosswalks – etc.). The Recreation Department has applied for and received grant funding for swimming lessons at the beach. Carole Marchand is prepared for the summer concert series and market which started at the end of June.

**PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT – NEXAMP, INC.:** Mr. Willardson stated this has been reviewed by the Assessor and Town Counsel.

**Motion made by Selectman Jolda, seconded by Selectman Bourque to approve the Payment in Lieu of Taxes (PILOT) Agreement with Nexamp, Inc. – 0 Batten Street. The motion passed unanimously.**

**EXECUTIVE SESSION:** At 7:26 p.m.,

**Motion by Selectman Gabor, seconded by Selectman Bourque, to enter into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares for the purpose of discussing the Legal Update and Strategy Discussion: Ralph v. Town of Webster, Bounphasaysonh v. Town of Webster et al., Dowgiewicz v. Town of Webster et al. and Leabman-Colo v. Town of Webster**

**Chairman Becker took the Roll Call Vote: Selectman Gabor – yes, Selectman Kontoes – yes, Selectman Jolda – yes, Selectman Bourque – yes and Chairman Becker – yes.**

**RETURN TO OPEN SESSION: At 8:09 p.m.:** Chairman Becker called for a 5-minute recess.

**ECONOMIC DEVELOPMENT UPDATE:** Mr. Willardson stated the Town of Webster is trying to expand and retain businesses. We offer a single tax rate and have multiple resources available for local businesses. The Town is trying to improve the physical environment by holding an annual clean-up, weekly litter and weed clean-up, handing out enforcement orders, cleaning up graffiti and adding a new welcome to Webster sign. Webster is improving the physical environment by adding planters, benches, and trash barrels. Webster is trying to attract new businesses by being business-friendly, offering incentives, producing marketing materials, conducting a market analysis and bring aboard a commercial site finder. Chairman Becker asked if we could reach out to WPI and see if they would be interested in doing a project. Selectman Kontoes asked if there were ways to know if available vacant building were up to code. Mr. Willardson stated the realtor will put all of that information together.

**MASTER PLAN REVIEW:** Chairman Becker stated they will add the Master Plan Review to the next agenda.

**REQUEST SPECIAL LEGISLATION – DECEMBER 10, 2018 SPECIAL TOWN MEETING:**

**Motion made by Selectman Jolda, seconded by Selectman Bourque to request Special Legislation to ratify the actions taken at the December 10, 2018, Special Town Meeting regarding the retail marijuana overlay district and Maintenance of private ways. The motion passed unanimously.**

**ONE-DAY LIQUOR LICENSE REQUEST – THE FRIENDS OF THE LIBRARY:**

**Motion made by Selectman Jolda, seconded by Selectman Bourque to approve the One-Day Special Alcohol License for the Friends of the Gladys E. Kelly Public Library for their "Celebrate Webster" Fundraiser on Thursday, September 26, 2019, at 6:00 p.m. to 8:00 p.m. at the Gladys E. Kelly Public Library. The motion passed unanimously.**

**FINANCIAL POLICY AMENDMENT:** Mr. Willardson stated he would like the Board to approve the draft amendment he submitted "Disposition of Surplus Property Policy" which will authorize him to declare and dispose of property values under ten thousand dollars.

**Motion made by Selectman Bourque, seconded by Selectman Jolda to amend the Financial Policies to add the Disposition of Surplus Property Values under \$10,000 Policy. The motion passed unanimously.**

**PROPOSED INPUT TO PLANNING BOARD – SOLAR ARRAY JUNIPER LANE:** Selectman Becker stated he would like to get the Board's feedback on submitting input regarding the proposed solar array project on Juniper Lane. He stated it is a very significant project, with planned arrays about a half mile long off Lake Parkway. Mr. Willardson agreed that it is a very large project. Mr. Willardson stated the Conservation Commission has already voted to approve this project. Chairman Becker stated that the Board of Selectmen hasn't provided input on these matters. He stated the Board could send a letter with their input on the project if desired. Selectman Kontoes asked if the Planning Board already has an opinion on this project. Mr. Willardson stated they are still taking public comments. Selectman Jolda stated he would support drafting a policy or procedure to adopt but not submitting input on a case-by-case. He stated this does not fall under the Board of Selectmen and he wouldn't feel comfortable providing feedback for something without a public hearing. Selectman Bourque stated the Town is going to lose a lot of tree line. Selectman Kontoes asked how this was affected by the recent By-Law that was passed. Chairman Becker stated this was submitted before the article was approved so it was

grandfathered in. Selectman Kontoes stated she doesn't feel comfortable stepping on the toes of the other Town Committees.

**PROPOSED INPUT TO PLANNING BOARD – SOLAR ARRAY UPPER GORE ROAD:** Chairman Becker recused himself. Selectman Bourque stated this is the same discussion as the previous agenda item. Selectman Jolda stated he feels the same for this project as he did for the Juniper Lane project. He stated he does not feel comfortable providing input without a policy and a public hearing. Selectman Kontoes stated she encouraged residents to attend the public hearings on this matter. Mr. Willardson stated they can publish the public hearing more to make residents aware of what is going on.

**MEETING MINUTE POLICY:**

**Motion made by Selectman Bourque, seconded by Selectman Jolda to approve the Meeting Minute Policy. The motion passed unanimously.**

**APPOINTMENT/REAPPOINT POLICY:**

**Motion made by Selectman Bourque, seconded by Selectman Jolda to approve the Appointment/Reappointment to the Boards and Committees Policy. The motion passed unanimously.**

**SELECTMEN OFFICE HOURS POLICY:** Mr. Willardson stated office hours will take place on the 3<sup>rd</sup> Monday in July. Selectman Bourque stated he will do the first one.

**Motion made by Selectman Bourque, seconded by Selectman Jolda to approve the Meeting Minute Policy. The motion passed unanimously.**

**TOWN ADMINISTRATOR'S REPORT:** Mr. Willardson thanked everyone for a successful Independence Day celebration on July 3rd. The Summer Concert Series and Market will be held on Wednesdays: Market 5:30 pm; Concert 6:00 pm. Project Bread is offering free meals for kids under 18 years old at the library, Park Ave Elementary School, High School/Middle School complex and North Village. The E-one fire truck construction is proceeding well, with an estimated completion date of early fall. The Town foreclosed on 39 Tower Street and the owner's representative is now in process of paying off. Auditors are on site for the FY2019 audit. The school transportation budget exceeded by \$225,000; State Assessments (school choice and special education) increased from \$90,000 to \$330,000 per month. The Town is fortunate to have surplus to cover the difference between the Town and School. However, there will be no expense balance to become free cash. The Town fulfilled the NGrid requirements for home energy assessments and will receive a grant of \$9,000. The Town put out the RFP for surplus town property located at 0 Cudworth Road for a cell tower. The successful bidder will need to proceed through the planning board process. The Town received \$30,000 grant from MassDevelopment for a market study of Webster to include an investor prospectus and to market the Town's opportunity zone and other underutilized properties. The water filtration plant was waiting for a back-ordered piece of equipment. The equipment arrived last week but was damaged in shipping. The Town is still determining how this will affect the project. The PARC grant application for the beach was submitted with a requested site visit later this week. Selectman Gabor expressed concern that the PARC Grant may carry requirements that would not allow the Town to utilize split beach fees for residents and non-residents. Mr. Willardson will look into this. The Conservation Commission has approved a Wetland Setback Policy such that no construction be allowed within 25' of a wetland, with limited exceptions wherein an applicant would have to rebut the presumption of harm to wetlands. They will be bringing a by-law to the next town meeting. Lastly, the Town is working on coordinating various committee meeting schedule so there are fewer overlapping meetings. This will result in more committees being able to video record their meetings in the Selectmen's room.

**Motion by Selectman Jolda, seconded by Selectman Bourque, to approve the Town Administrator's Report. The motion passed unanimously.**

**ADJOURN:** At 9:40 p.m.:

**Motion by Selectman Jolda, seconded by Selectman Gabor, to adjourn. The motion passed unanimously.**

Respectfully Submitted,

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*Courtney M. Friedland, Executive Secretary to the Board of Selectmen*