



Office of the Board of Selectmen
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Randall V. Becker, Chairman
Andrew Jolda, Vice-Chairman
Earl Gabor, Secretary
Lisa Kontoes
Thomas Klebart

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES**

Monday August 3, 2020 6:00 P.M.

Selectmen's Meeting Room

Webster Town Hall, 350 Main Street, Webster, MA
via conference call in accordance with Governor Baker's
emergency "Order Suspending Certain Provisions of the
Open Meeting Law, G.L. c. 30A, §20"
6:00 p.m.

MEETING OPENING: At 6:05 p.m., Chairman Becker called the meeting to order in the Selectmen's Meeting Room, Webster Town Hall, 350 Main Street, Webster, MA. The following individuals were present: Chairman Becker, Selectman Andrew Jolda, Selectman Lisa Kontoes, Selectman Earl Gabor, Selectman Thomas Klebart (via Zoom Meeting), Ann Morgan (via Zoom Meeting), Christella Gonsorcik (via Zoom Meeting), Kristi Bello, Gjergji Bello, Police Chief Michael Shaw, Town Administrator Doug Willardson, and Executive Assistant Courtney Friedland. The Board stood and took the Pledge of Allegiance.

Chairman Becker stated on March 12, 2020, Governor Baker issued an Executive Order modifying certain requirements of the Open Meeting Law, to enable public bodies to carry out their responsibilities while adhering to public health recommendations regarding social distancing as fully stated on the agenda. The Executive Order relieves public bodies from the requirement in the Open Meeting Law that meetings be conducted in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body through adequate, alternative means.

Meeting Minutes

Motion by Selectman Gabor, seconded by Selectman Jolda, to approve the meeting minutes of July 13, 2020. Call Vote: Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

MEMORIAL BEACH UPDATE: Carole Marchand stated the town has been working closely with Ben Gary, the landscape architect. She stated they are going in front of the Conservation Commission tonight with their Notice of Intent. She stated they are looking to upgrade the bathrooms, concession stand, and playground. They are looking to add a floating waterpark, soccer field and pickleball court. She said the soccer field will be used as a multipurpose field. She said Memorial Beach has been very busy this summer. Employees are working extremely

hard. Most weekends they are at capacity. She explained that capacity is reached when there is a 1/25 ratio of life guards to people in the water. She stated she hired more lifeguards. She stated most weekends they have six lifeguards on duty. When the beach is at capacity no one else is allowed in the beach. She stated lifeguards make the decision of when the beach reaches capacity. Selectman Klebart asked how they will control access to the waterpark. Ms. Marchand stated there will be one lifeguard designated to the waterpark. Selectman Kontoes asked that when more details are released that the Board receives the information and that it is also posted on the town's website. Ms. Marchand stated they will have more information once the project goes out to bid. Chairman Becker stated it would be helpful to have the information on the website of how many people can use the waterpark at one time. He said he would also like to mention the large number of seagulls located at the beach. He stated when he went by there the other day there was roughly 75 seagulls on the roof of the bathhouse. He would like to see if the town could take more action against people feeding the seagulls. He said the town should create signage and start giving out penalties to those who feed them. He stated he is fearful that the town beach might get shut down if there is high levels of bacteria in the water due to seagull droppings. Mr. Willardson stated they will work on signage and make sure enforcement of the no feeding by-law is being administered. Chairman Becker thanked Ms. Marchand for all of her hard work. He also thanked the lifeguards and beach workers for their hard work.

LIQUOR LICENSE TRANSFER – PUBLIC HEARINGS: Chairman Becker stated the two agenda items dealing with liquor license transfers will need to be postponed to make sure they are on the agenda correctly. Since they were posted in the newspaper as Public Hearing, they should be posted on the agenda as Public Hearings. The Board agreed to meet on August 6, 2020 at 6:00 p.m. to address these two agenda items.

Motion by Selectman Gabor, seconded by Selectman Jolda, to table the request to approve the liquor license transfer application filed by M& D, LLC dba Sunnyside Farms and the request to approve the liquor license transfer application files by Himalaya Wok. Call Vote: Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

CLASS II LICENSE APPLICATION – BELLO AUTOMOTIVE, LLC: Kristi Bello came forward. He stated he purchased the property located at 27 Worcester Road and is looking to keep the location as a used car sales lot. He said he is looking to do some landscaping and make the property nicer.

Motion by Selectman Gabor, seconded by Selectman Jolda, to approve the Class II License application filed by Bello Automotive, LLC 27 Worcester Road, Webster. Vote: Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

THE ROSE ROOM – ACCEPT TECHNICAL CORRECTIONS: Mr. Willardson stated The House Committee on Bills in the Third Reading had some changes to the existing language. Most of the changes were incidental.

Motion by Selectman Kontoes, seconded by Selectman Jolda, to approve the technical corrections submitted by the House Committee on Bills in the third Reading regarding the Rose Room, 4 East Main Street, Webster. Call Vote: Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

2020 PRESIDENTIAL PRIMARY WARRANT:

Motion by Selectman Jolda, seconded by Selectman Kontoes, to approve the 2020 Presidential Primary warrant as read. Call Vote: Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

REVIEW AND AMEND SELECTMEN'S POLICIES: Chairman Becker stated the Board received a copy of the polies to review. He asked if any of the Board member had any changes that they forward them to the Board's Secretary. He stated there are 63 pages of Selectmen's Policies.

Page 2: add review dates in parentheses

Page 4: change he/she to his/her

Page 6: add language for who managed the town calendar

Page 7: change Selectmen's hours to 6:00 PM to 7:00 PM. This will start back up in September.

Page 7: draft meeting minutes still not posted. Memo needs to be sent out.

Page 9: add language regarding "staff"

Page 10: notify Board on non-operational matters

Page 13: spell out DCJIS

Page 16: change Selectmen to Town Administrator and/or BOS Secretary under Procedures

Page 16: update package stores Sunday hours

Page 18: 6th paragraph down, make sure information is updated

Page 18: typo on November 30th

Page 21: confirm fees for the athletic field

Page 24: clarify language for dogs at memorial Beach

Page 32: typo change except to accept

Page 35: have Kenny review the polices under Department of Public Works

Page 36: type in i) should be three (3) years

Page 45: add language to include landscaping

Page 52: have Water/Sewer Commission review policies

APPOINT TINA LANDRY AND DAWN PORTMAN TAX POSSESSION CUSTODIAN:

Motion by Selectman Jolda, seconded by Selectman Gabor, to appoint Tina Landry, Town Treasurer/Collector and Dawn Portman, Assistant Town Treasurer, as provided under MGL Chapter 60, Section 77B as Tax Possession Custodian who shall have the care, custody, management and control of all property acquired by foreclosure, deed in-lieu of foreclosure or by treasurer's deed for unpaid taxes.

Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

ACCEPTANCE OF DEED – FRENCH RIVER PARK: Mr. Willardson stated the town was leasing the property located at 131 East Main Street (French River Park) from Nancy Healy for a dollar a year. She decided to donate the land to the town. It took a little time to get the French River Connections, Inc. to sign off on the right of way they had with Ms. Healy. Chairman Becker would like to extend his gratitude to Ms. Healy. He would like to send a thank you letter to Mr. Healy on behalf of the Board of Selectmen.

Motion by Selectman Gabor, seconded by Selectman Klebart, to approve the Acceptance of Deed pursuant to the vote taken under Article 18 of the May 13, 2019 Special Town Meeting to accept property located off Main Street, Webster for park, playground and recreation purposes.

BOARD OF SELECTMEN'S CONSERVATION COMMISSION APPOINTMENT: Mr. Willardson stated this agenda item and the next agenda item are related. The Board of selectmen received an Open Meeting Law complaint filed by Patrick Hoggins for not listing the candidates for the open position on the Conservation Commission on the agenda.

Motion by Selectman Jolda, seconded by Selectman Gabor, to appoint Michelle Sherillo to the Conversation Commission. Call Vote: Call Vote: Selectman Klebart – no, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – no.

Motion by Selectman Gabor, seconded by Selectman Jolda, to approve the response to Patrick Higgins Open Meeting Law Complaint. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

CHRISTELLA GONSORCIK – APPOINTMENT TO THE PLANNING BOARD: Mr. Willardson stated Ms. Gonsorcik has been serving on the Planning Board as an alternate member. Since Mr. Klebart has been voted to the Board of Selectmen, she has submitted a letter requesting to become a full member by taking Mr Klebart’s place. He stated Town Planning Ann Morgan and Chairman Laframboise are supportive of this appointment.

Motion by Selectman Gabor, seconded by Selectman Klebart, to appoint Christella Gonsorcik to the Planning Board as a full-time member. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

TOWN ADMINISTRATOR’S REPORT:

1. Public Health and Safety
 - a. Fire:
 - i. The Tri-State Firefighters Meet will be held at 9:00 AM Sunday, September 13th.
 - b. Police:
 - i. Sergeant Perry retired from the Police Department in July. Will move to back fill the position over the next couple of months.
 - ii. Held Junior Police Academy last week.
 - iii. Unfortunate, fatal accident on Thompson Road today.
 - c. BOH:
 - i. Coronavirus—eight cases last week in Town.
2. Financially Responsible
 - a. Closing FY2020
 - i. FY2020 State Aid was received.
 - ii. Auditors completed preliminary work last week.
 - b. FY2021
 - i. Ch. 70 and UGGA amounts announced (see attached)
 - ii. Still have \$1.5 Million in CARES Act funds
 - c. School Committee voted to start school year 100% remotely. Meeting with Business Manager tomorrow.
 - d. Tax foreclosure auction to be held on August 12th
3. Economic Development
 - a. Meet with ED consultant regarding market analysis of Webster. Developed RFP for developers for each of the following sites:
 - i. Tornado area (still working on making into a park in the interim)
 - ii. South Main lots
 - iii. Lot at Cudworth and Lower Gore
 - iv. Kmart Plaza
4. Maintain Infrastructure
 - a. Memorial Beach—project being reviewed by Conservation Commission today

- b. Municipal lot behind Mapfre reconstruction underway. Binder down this week; full completion in three weeks
 - c. East Main Street sidewalk will be complete in two weeks. Applying for “Complete Streets” grant for the remainder of the project in September
 - d. Obtaining quotes for Ray Street athletic field bleachers demo and replacement.
 - e. Paved portions of Lower Gore, Blueberry Hill and Point Breeze. South Main, Steven Drive, Victoria Drive will be overlaid this month.
 - f. Curaleaf donated \$5,000 for reroofing the gazebo at Town Hall.
 - g. Received \$55,000 in grant funding for Town Hall roof repairs. Full projects is \$650,000.
- 5. Effective Delivery of Services/Operations
 - a. Library open for in-person browsing today. Slow but steady number of patrons.
 - b. Senior Center employees have been redeployed on a part-time basis to assist with voter registration and early voting.
 - 6. Transparent, Open and Friendly government
 - a. Decentralized and following up to make sure minutes are being posted time.

Motion by Selectman Jolda, seconded by Selectman Gabor, to approve the Town Administrator’s Report. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

EXECUTIVE SESSION: At 7:28 p.m.,

Motion by Selectman Gabor, seconded by Selectman Jolda, to discuss strategy with respect to collective bargaining or 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.

- Bounphasaysonh v. Town of Webster et al.
- Dowgiewicz v. Town of Webster et al.
- Moses Early v. Town of Webster et al.
- Finamore v. Town of Webster et al.
- Ralph v. Town of Webster et al.
- BWC Chamberland Pond, LLC v. Planning Board
- Town v. Boisvert: 529 S. Main Street

Call Vote: Selectman Gabor – yes, Selectman Kontoes – yes, Selectman Jolda – yes, Selectman Bourque – yes and Chairman Becker – yes.

ADJOURN: At 8:41 p.m.,

Motion by Selectman Gabor, seconded by Selectman Jolda, to re-convene the regular session and adjourn.

Call Vote: Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, Selectman Jolda – yes, and Selectman Becker – yes.

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