



Town Of Webster Massachusetts

Est. 1832

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Randall V. Becker, Chairman
Earl Gabor, Vice-Chairman
Lisa Kontoes, Secretary
Thomas Klebart

BOARD OF SELECTMEN REGULAR SESSION MEETING MINUTES

Monday, March 14, 2022 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"

MEETING OPENING: At 5:04 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 Lisa Kontoes, Selectman Earl Gabor, Selectman Thomas Klebart, Joshua Sterczala (via Zoom meeting), Joseph Ralph (via Zoom meeting), Michael Finamore (via Zoom meeting), Mat Fitton, Sarah Sansom, Kelly Seddiki, Kathleen Napierata, Sheila Blythe, Linda Millet, Nicholas Adamopoulos, David Hurton, Ted Avlas, Superintendent of Schools Ruthann Goguen, Business Manager Monique Pierangeli, Finance Director Tim Bell, Tony Paranto, Town Administrator Richard Lafond 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. As further explained 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. On February 15, 2022, Governor Baker signed into law a new session law extending certain COVID-19 related measures. The new law, Chapter 22 of the Acts of 2022, includes an extension until July 15, 2022, of the remote meeting provisions of the Governor's March 12, 2020, Executive Order Suspending Certain Provisions of the Open Meeting Law.

Chairman Becker announced the name of each attendee who attended via Zoom.

TRI-BOARD MEETING – BOARD OF SELECTMEN, SCHOOL BUILDING COMMITTEE, AND FINANCE COMMITTEE:

Ms. Pierangeli handed everyone a sheet with the breakdown of cost to the taxpayers if the Bartlett High School Renovation Project is approved. Ms. Goguen stated the Town of Webster has been working on this project for over two years. Chairman Becker referred to the School Building Committee having previously given a presentation before the Board of Selectmen in February. He stated the presentation was very well done and the Board of Selectmen was unanimously in favor of the proposed project.

Selectman Kontoes stated the School Building Committee was very methodical about the design and educational improvements the renovation will have on students. She said it wasn't just a physical change but that it is paired with a modern educational plan. Mr. Bell went through the breakdown of the borrowing and the cost to taxpayers. He stated the design costs were not added to his figure as they were previously approved. He stated after a discussion with Hilltop Securities, the Town's Bond Consultants, he felt comfortable basing this on a 5% interest rate. Chairman Becker asked if the Town could use the State rate. Mr. Bell said he is currently looking into this. He said there might be a limit on the amount of money that can be borrowed using the State rate. Mr. Fitton asked when the new debt would be borrowed. Mr. Bell stated for new debt it is usually bonded in the full amount near the end of the project. He said they will do an analysis and see if it might be better to borrow near the beginning of the project. Mr. Fitton asked if the cost of inflation was built into the estimated cost of the project. Ms. Pierangeli stated inflation costs were built into the estimated cost but completed bids would determine the actual costs. Ms. Goguen stated anyone can reach out with questions. She said the School Building Committee will be holding additional project presentations. She stated the MSBA is very pleased with the work Webster has done and has even featured the project in one of their programs. Selectman Kontoes stated the educational environment is changing. She said schools now need to prepare students for different paths whether it is educating, entering the workforce or college.

Motion by Selectman Klebart, seconded by Selectman Gabor, to approve and place the following ballot question on the Town Election Warrant for May 2, 2022:

“Shall the Town of Webster be allowed to exempt from the provisions of proposition two-and-one-half, so called, the amounts required to pay for the bonds issued in order to pay costs of the Bartlett High School Renovation Project, located at 52 Lake Parkway, Webster.

YES _____ NO _____” .

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

Meeting Minutes

Motion by Selectman Kontoes, seconded by Selectman Klebart, to approve the meeting minutes of February 14, 2022. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

WATER/SEWER DEPARTMENTS UPDATE, TOM CUTLER, SUPERINTENDENT:

Water Department Update:

- Mr. Cutler stated the Bigelow Road well continues to be out of service. The PFAS numbers have come down, but the samples that have been taken do not represent a good sample from the well because the well water is stagnant. He is hoping to receive SRF funding to help rehabilitate the well. He stated the PFAS at Memorial Beach pumping station wells has also been low. He stated this is because the water is blended between the wells. He stated the best solution would be to have treatment all at one site. He stated this would require 2.1 miles in transmission pipe from the Bigelow Road well. He stated he is working with MassDEP to collect samples. MassDEP is trying to determine where PFAS is coming from and where it is traveling to. With such a small PFAS threshold, measured in “parts per trillion” Mr. Becker asked about the confidence level of the sampling that was taking place. For instance, at 20 PPT, if the sampling has a 5 PPT margin error rate (confidence level) the town may have less or more of an issue with the measured results. Mr. Cutler noted he was not sure what the testing margin of error was. He described how careful employees had to be when drawing samples as PFAS resides in clothing and in the environment and even the slightest contamination can skew test results. Mr. Cutler also mentioned how expensive PFAS testing is and because there is only one certified lab in

Massachusetts, test results are often delayed. Lastly, Mr. Cutler stated he feels the PFAS numbers will go back up when in use.

- He stated they completed the generator replacement at the Treatment Plant. He stated the work was done in-house and saved the town over \$90,000.00. He thanked Mr. Patterson for his hard work and dedication.
- He stated the Lake Street water main replacements bid came in and the lowest bid was \$1.76 million. He stated they are still under review by Tighe and Bond.
- He stated they completed the material survey for lead and copper. He stated samples were taken from residents. He said it is a very tedious survey and 16 samples were thrown out by the State due to chain of custody challenges. He stated this program is difficult to participate in because they are so strict. He said the results that were accepted came back good. He said in 2024 there will be a new rule requiring towns to have a lead service inventory. He said they will need to come up with a plan. He said they will need to put information on the website and internet.
- He stated they started the hydrant inspection program. He stated they are currently 65% complete. This will provide him a complete hydrant list and ensure that they are all flowing properly.
- He stated they recently completed a Sanitary Survey. He stated there were no major deficiencies. There were four minor deficiencies which are being addressed.
- He stated they are re-booting the cross-connection survey program. He stated the last time this was completed was in 2013. They plan to do the full survey this spring.
- He stated an inspection of the Rawson Road water tank was found to have small holes and cracks. He stated he is currently getting a quote. He stated he is very impressed with the cement lined tank and that it is in very good condition.
- He stated he is in the process of updating the Rules and Regulations. He stated this will go before the Water/Sewer Commission at their next meeting. He stated it would be good to have this in place.
- He stated the Water Department was allocated \$2 million in ARPA funding. The Sewer was allocated \$1.6 million in APRA funding.
- He stated the Water/Sewer Commission is looking into adopting a water use restriction policy for the summer months. He stated with the Bigelow well being out of service, the water system might not be able to keep up especially if there is a fire. He stated there are different ways they can implement a policy without impacting residents too much. He stated this will also be discussed at the next meeting.

Sewer Department Update:

- He stated there has been a change to the NPDES permit. These changes now focus on nitrogen and aluminum.
- He stated they are working on the Dudley IMA and true-up. He is hopeful that they will be able to close the true-up very soon. He stated Dudley contributes 23-24% of the wastewater processed by Webster.
- He stated they are working on the renewal of the IMA with Oxford. He said Oxford is not looking to make any changes.
- He stated the Water/Sewer Commission will be holding a public hearing and setting the rates soon.

OPENING OF THE SPRING SPECIAL TOWN MEETING WARRANT:

Motion by Selectman Gabor, seconded by Selectman Klebart, to open the Warrant for the Spring Special Town Meeting on Monday, 5/09/22 at 6:30 p.m. at Bartlett High School, 52 Lake Parkway, Webster with a Closing Date of 4/01/22 at Noon for Submission of Articles or Citizen Petitions. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

OPENING OF THE SPRING ANNUAL TOWN MEETING WARRANT:

Motion by Selectman Gabor, seconded by Selectman Kontoes, to Open the Warrant for the Spring Annual Town Meeting on Monday, 5/09/22 at 7:00 p.m. at Bartlett High School, 52 Lake Parkway, Webster with a Closing Date of 4/01/22 at Noon for Submission of Articles or Citizen Petitions. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

SACRED HEART CHURCH – “ONE DAY” LIQUOR LICENSE REQUEST:

Motion by Selectman Gabor, seconded by Selectman Klebart, to approve the “One Day” liquor license for Sacred Heart Church, 18 East Main Street, Webster, MA for the Semi-Annual 25 Club Parish Banquet/Fundraiser on April 1, 2022 and April 2, 2022 from 5:00 p.m. to 9:00 p.m. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

APPROVAL OF ELECTION WARRANT:

Motion by Selectman Gabor, seconded by Selectman Kontoes, to approve the election warrant as read with the inclusion of the previously voted School Renovation ballot question. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

MASS STRATEGIC HEALTH GROUP APPOINTMENT – RICHARD LAFOND:

Motion by Selectman Klebart, seconded by Selectman Kontoes, to appoint Richard LaFond Town Administrator, as Voting Member and Treasurer/Collector Tina Landry as Alternate Member on the Mass Strategic Health Group. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

TOWN ADMINISTRATOR’S REPORT:

1. Orientation
 - Mr. LaFond enjoyed individual “tours” of the town by our Police Chief, Fire Chief, EMS Director, Water Sewer Supt. and Highway Supt. He said it is interesting how each department head has his own, unique view of the town. He appreciated each taking a half day out of their schedules for this purpose to get familiar with issues/concerns as well as the geography.
2. Budget & Capital
 - Finance Director/Town Accountant Tim Bell and himself have forwarded the budget proposals from each department to the Finance Committee as required by Charter.
 - Tim and Mr. LaFond have worked closely to construct a budget and capital plan that they will be discussing with the School Supt and Business Manager this week. Hopefully this discussion will lead to a finalized proposal to forward to the Selectmen and Finance Committee for consideration. Two major factors that will help this year’s spending plan are a significant increase in Ch. 70 aid and a very large free cash certification.
3. Personnel
 - Last Friday Courtney and Mr. LaFond met with the Personnel Advisory Board. The main topic of discussion was the “kick-off” of our updated Wage & Classification project. The

project will include the updating of position descriptions for most union and non-union positions.

- Also discussed was Mr. LaFond's recommendation to have the Collins Center perform a Human Resources Audit. Mr. LaFond has engaged in this exercise previously and found it to be great tool in identifying all elements of personnel administration that a municipality should have, and review our status with regard to same.
- Mr. LaFond asked that the Collins Center provide us an estimate for an HRA. Collectively the PAB, Courtney and Mr. LaFond discussed the feasibility of pursuing this project simultaneously with our W&C plan update. Collectively it was decided that it would be best to pursue only one project at a time.

4. Lake Street Water Main Replacement Project

- On March 10 Water & Sewer Department's consulting engineers, Tighe & Bond, conducted a bid opening regarding the above referenced project. The base bids ranged from \$1.7 Million and \$2.9 million.
- Tighe & Bond is in the process of reviewing the bids to ensure completeness and substance are reasonable based upon their knowledge and experience. They will be making a recommendation to the town that will be the basis for award.

5. Vacation Accommodation

- The compromised ability for town employees to use vacation time during the current fiscal year has caused Mr. LaFond to approve the option for employees to "buy back" one week of vacation time in addition to the nearly universal option of rolling over one (1) week of vacation time. In consultation with the Chair and Vice-Chair there was agreement that this is fair, that this would remain non-precedent setting, and, that this should be the last fiscal year that this should be necessary.

6. Cable Contract Renewal

- Town Counsel has provided a summary of the requirements for pursuing a license renewal. Mr. LaFond plans to organize a meeting of the Cable Advisory Committee in the near future to review this information.
- Another important topic for conversation is the Committee's recommendation on what legal/consulting services that the town should engage for technical assistance. Mr. LaFond has had the pleasure of working with a number of consultants in years past in updating similar agreements.

7. Retail Marijuana HCA's

- The Board is aware that they have 2 licenses for the sale of retail marijuana. One of these licenses has been granted pursuant in the form of a Host Community Agreement and the business has been operating for over a year.
- A second, available license has also been granted in the same form. A dispute exists pertaining the licensee's rights to the location of the facility stated within the HCA. This dispute is a private matter between the parties and not that of the town at this time.
- Mr. LaFond is working to determine the town's role and obligations regarding this dispute. Fundamental questions include:
 - o Should the town be negotiating an HCA with another applicant prior to the resolution of a private dispute over location?
 - o At what point (if at all) should the town possibly seek to revoke the existing (HCA) should the holder of the HCA lose rights to the property?
 - o Does the Cannabis Control Commission exercise any role in this matter?

- Mr. LaFond hopes to have a better handle on this situation before the next Selectmen's meeting.

8. Health Agent FDA Grant

- Mr. LaFond reported that the FDA has Voluntary National Retail Food Regulatory Program Standards, often referred to as the Retail Program Standards, to establish best practices for regulatory programs that permit and inspect food service and retail food establishments. Enrolling and remaining in active participation in the Retail Program Standards will enable the Webster Health Department to make lasting programmatic improvements in our retail food protection program. The Retail Program Standards require periodic self-assessments and audits of our self-assessment.
- The Town of Webster was awarded \$20,130 divided up into three grants, through December 31, 2022. We received \$2,630 towards salaries and benefits for the time it takes to complete our initial self-assessment, \$10,000 towards salaries/benefits and travel expenses to participate in a mentorship program as a mentee (we have been partnered with a community in CT), and \$7,500 for training. Mr. LaFond thanked Health Director Camille Griffin for her work on this.

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

EXECUTIVE SESSION: At 7:06 p.m.,

Motion by Selectman Kontoes, seconded by Selectman Gabor, 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.

- o Bounphasaysonh v. Town of Webster et al.
- o Ralph v. Town of Webster et al. (Vote to release meeting minutes)
- o Dowgiewicz v. Town of Webster et al. (Vote to release meeting minutes)
- o Approval of Executive Session Meeting Minutes
 - February 14, 2022

Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes. Chairman Becker noted the Selectmen will reconvene in open session once Executive Session concluded.

The Selectmen reconvened at 7:24 p.m. from Executive Session.

NEXT MEETING:

April 11, 2022, 6:00 p.m. at Webster Town Hall, Selectmen's Meeting Room, 350 Main Street, Webster, MA 01570

ADJOURNMENT:

Motion by Selectman Gabor, seconded by Selectman Kontoes to adjourn the regular session meeting at 7:25 p.m. Call Vote: Selectman Klebart – yes, Selectman Gabor – yes, Selectman Kontoes - yes, and Selectman Becker – yes.

Respectfully Submitted,

Courtney Friedland, Executive Secretary to the Board of Selectmen

EXHIBITS:

1. Draft Meeting Minutes from February 14, 2022 Board of Selectmen's Meeting
2. Document: "Attachment A" – Ballot Question and draft Town Meeting Votes
3. Document: Bartlet High School Projected Cost Per Option
4. Document: Sacred Heart One Day Application and Certificate of Coverage
5. Document: Town Election Warrant
6. Document: Town Administrator's Report

