



TOWN OF SHREWSBURY

Board of Selectmen Meeting
Board of Selectmen's Meeting Room
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5398

Tuesday, May 26, 2020 - 7:00 PM

MINUTES

Amended Agenda- Originally posted on May 21, 2020 at 3:49 pm

Important Notice: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the **Shrewsbury Board of Selectmen** will be conducted via remote participation to the greatest extent possible. All meetings and hearings listed in the agenda will also be done so through remote participation. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at www.shrewsburyma.gov/coronavirus. For this meeting, members of the public who wish to listen or watch the meeting may do so by visiting <https://www.shrewsburymediaconnection.org/>. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting. To participate in the public comment portion of this meeting, dial [1 636-495-1574] and enter the following pin: [603 591 308#]. Please mute your device until the Chair of the Board of Selectmen addresses your agenda item or opens the meeting to public comment.

Present: Mr. Maurice DePalo, Chairman, Ms. Beth Casavant, Vice Chairman, Mr. John Lebeaux, Clerk, Mr. James Kane, Selectman, Mr. John Samia, Selectman
Also Present: Mr. Kevin Mizikar, Town Manager, Ms. Angela Snell, Superintendent of Public Facilities, Mr. Bernie Cahill, Town Planner, Mr. Keith Elmes, Animal Control Officer, Mr. Christopher Mehne, Town Moderator

Mr. DePalo called the meeting to order at 7:00 PM and read the remote participation script verbatim.

Preliminaries:

1. **Approve bills, payrolls and warrants**

On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to approve warrants 2045 and 2094 as presented.

2. **Approve Minutes of May 12, 2020**

The minutes were not ready not approved.

3. **Announcements/Reports**

Mr. Lebeaux wanted to recognize all the effort that went into the virtual Memorial Day ceremony and complimented all that were involved.

4. **Town Manager's Report**

Mr. Mizikar stated that he had received an official retirement notification from Chief Jay Hester. Chief Hester had discussed his retirement earlier in the year however, a formal announcement was delayed due to the COVID-19

pandemic. Mr. Mizikar stated that Chief Hester has served in the rank of Patrol Officer, Sergeant and Chief and has performed above and beyond in the line of duty in each and every position that he has served. A recruitment process will be developed.

Special Reports/Actions/Updates:

5. Coronavirus/COVID-19 from Town Manager

Mr. Mizikar reviewed a PowerPoint presentation with COVID-19 updates. Angela Snell, Superintendent of Public Facilities, gave a brief overview of the cancellation of summer recreation programs.

Financial Business:

6. Budget Report

Mr. Mizikar reviewed PowerPoint slides focusing on the budget. Currently 3 different scenario models are being ran and the main focus is a 1/12th monthly budget. Mr. Mizikar reviewed the July 2020 budget which will be reviewed for approval at next meeting. The budget would need to be reduced by 2.53% for FY21. Mr. Mizikar discussed 3 sources of COVID-19 aid to the town; Pubic Health Trust Grant, FEMA Disaster Relief, and CARES Act Funding. Alice Ferro has been hired through CARES act funding to manage funding. Ms. Casavant commented on the practicality of moving forward with a 1/12th budget and the Board agreed with moving forward until a Town Meeting takes place.

Meetings/Hearings:

7. 7:15 pm: Continued Public Hearing with Victor DeOliveira, Owner, ICar Auto, Inc. 306 Boston Turnpike, for a Class II License

Anna Carolina, owner, appeared on behalf of ICar Auto. Their application has been amended and they are now presenting a revised plan to sell no more than 3 cars only. Mr. Cahill, Town Planner, stated that it is a reasonable improvement and it is a good idea to make use of two internal areas for extra storage for overnight parking. It will have another level of review through the ZBA for a special permit. Mr. DePalo commented on the quality of the plan and stated it may not be acceptable for the ZBA but will be acceptable for the Board at this time. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to close the hearing. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to approve the license contingent upon ZBA restrictions and with a limit of no more than 3 vehicles on site for sale.

8. 7:20 pm: Continued Public Hearing with Keith Lindem, Proposed Manager, 81 Clinton Pub, LLC, d/b/a Billy's Pub, 81 Clinton Street, for an All Alcoholic Beverages Pouring License and Entertainment License. Hours of Operation Sunday through Saturday 11:00am-2:00am. Hours of Entertainment Friday and Saturday 7:00pm-11:00pm

On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to continue the hearing at the applicant's request, to 7:20 pm on June 9th.

9. 7:25 pm: Presentation with Bernard Cahill, Town Planner, and Mark Favermann, Consultant, Favermann Design, on Town Center Wayfinding

Mr Cahill stated that in 2016 the Master Plan was developed and included promoting the town center. The Mass Downtown Initiative Grant that was awarded to the Town provided funding for a parking study which determined that there is a real need for parking and getting around the Town Center, and directions are not always clear especially with lack of parking. Another Mass Downtown Initiative Grant that was awarded to the Town provided a wayfinding study, conducted by Favermann Designs. Mark Favermann reviewed a series of PowerPoint slides which detailed what research was done to determine the feel of the community and an example of the proposed signs with images. The

Board discussed their preference on the signs and the proposed slogan of “core of commonwealth”. The Board wanted more time to think about the slogan. Mr. Kane believes that the signs may be too modern and the Board agreed with the sentiments and mentioned the style of the Historic District Commission signs. Mr. Favermann stated that he will review the format that the historic district signs use and will try and frame that structure. The Board prefers a more colonial look than what is proposed and would like to see an example of Mr. Feuermann’s wayfinding designs from other towns.

10. 7:30 pm: Meeting with Bernard Cahill, Town Planner, regarding a Town Center Zoning Update

Mr. Cahill last spoke to the Board in February, since then the Planning Board has held open meetings on the town center zoning proposals, and the response has been positive. The feedback from the two public forums that were held have also been incorporated into the zoning proposals. Mr. Cahill is holding off on an in-depth presentation until a date is set for the Annual Town Meeting, at which time the Planning Board will write their final recommendation

11. 7:35 pm: Meeting with Keith Elmes, Animal Control Officer, to review and act on nuisance dogs complaints at 47 Memorial Drive

Mr. Elmes gave a brief review of the history of the nuisance dogs at 47 Memorial Drive. Since the hearing last year, The Springer family has fenced in the property along Patriot Lane. Mr. Elmes has received a number of livestock in which they are zoned for. Mr. Elmes reviewed a few suggestions and overall he doesn’t believe the collars are effective. Mr. Kane mentioned that 47 Memorial Drive is a registered farm and in line with zoning and asked if the barking dogs would actually be considered a nuisance. Mr. Mizikar will inquire with counsel and advised the Board that they are not able to modify the order unless it is a public hearing in which the dog owner is available. Mr. DePalo requested that Mr. Mizikar look into agriculture laws and Mr. Elmes look into alternative bark collars.

12. 7:40 pm: Meeting with Christopher Mehne, Town Moderator, to review and act to set the 2020 Annual Town Meeting date in accordance with Chapter 53 of the Acts of 2020

Ms. Casavant expressed her concerns with the vulnerability of the pandemic and the logistics of Town Meeting. At this time, we need to decide on a date so that Mr. Mehne has the ability to postpone for 30 days. Mr. Mehne reviewed the various measures that would need to be taken for a safe town meeting to occur. Mr. Mehne explained a proposed location of the High School Field House which would encourage safe distance between individuals. The Board discussed the challenges of holding a town meeting so late in the year. The Board, Town Manager and Mr. Mehne, discussed the ability to change the date, time and/or location of the meeting if needed. Mr. Mehne confirmed he would be available to change any of those if needed. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to set the 2020 Annual Town Meeting to 7:00 PM at the Shrewsbury High School Field House, 64 Holden Street on Monday June 29, 2020.

New Business:

13. Review and act to sign the warrant for the 2020 Annual Town Meeting

Mr. Mizikar reviewed PowerPoint slides that reviewed the town meeting articles and a reorganization of warrant articles due to their urgency should town meeting need to adjourn early. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to sign the 2020 Annual Town Meeting warrant.

14. Review and act to accept an offer of a gift to the Town of Shrewsbury

Mr. Mizikar explained that for the Beal Elementary school currently constructed at 1 Maple Ave, there is a wall along the stairwell with a mural painted by the prominent author Peter Reynolds. Robert Terkanian (Chief Joseph) gifted 55k to cover the cost to commission new artwork in the new Beal School at 214 Lake Street. After acceptance the board would enter into a contract with the artist that would be funded by Chief Joseph’s gift. The Board expressed

their sincerest gratitude for the generous gift. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to accept the offer of \$55k to fund the artwork commissioned by Peter H Reynolds.

15. Review and act on the appointments to the Police and Municipal Campus Building Committee

a. A member of the Board of Selectmen

Mr. Kane made a motion to appoint Mr. DePalo to the committee. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to appoint Mr. DePalo to the Police and Municipal Campus Building Committee

b. Three residents

Mr. Kane made a motion to appoint Justin Snyder, Patrick Pitney, and Joseph Mauro to the committee. On a motion by Ms. Casavant, seconded by Mr. Lebeaux, the Board unanimously voted, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to appoint to appoint Justin Snyder, Patrick Pitney, and Joseph Mauro to the Police and Municipal Campus Building Committee

Possible Executive Session:

16. Convene in executive session for the purpose of approving minutes pursuant to

- a. Chapter 30A, s 21(a)(3)- March 7, 2020 - Route 20 Overlay District**
- b. Chapter 30A, s 21(a)(7)- March 7, 2020 - Confidential Attorney-Client Communication**
- c. Chapter 30A, s 21(a)(2)- March 10, 2020 - Collective Bargaining Firefighters Union**
- d. Chapter 30A, s 21(a)(6)- March 10, 2020 - 100-222 Maple Ave**
- e. Chapter 30A, s 21(a)(6)- March 10, 2020 - Centech Park North, 384-386 South Street**
- f. Chapter 30A, s 21(a)(4)- March 10, 2020 - employment of security personnel or devices**

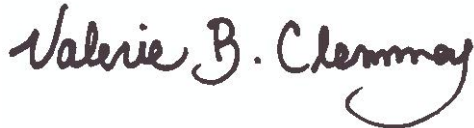
Ms. Casavant moved that the Board vote to enter into executive session at 9:25 pm for the purposes of approving minutes pursuant to items 17a through 17f as listed on the agenda Seconded by Mr. Lebeaux, on a roll call vote, Ms. Casavant-yes, Mr. Lebeaux-yes-Mr. Kane-yes, Mr. Samia-yes, and Mr. DePalo-yes, to enter into executive session. Mr. DePalo advised that the Board would now enter into executive session and would not reconvene into open session.

Correspondence: The Board of Selectmen will review and possibly act on the following:

- 17. Letter, dated May 3, 2020, from Scott Nolan, 20 Bosworth Road, re: Amendment of the Zoning Map for Worcester Sand and Stone- so noted
- 18. Letter, dated May 5, 2020, from Keith Elmes, Animal Control Officer, re: Update on Nuisance Dogs at 47 Memorial Drive – so noted
- 19. Email, dated May 8, 2020, from State Representative Hannah Kane, re: Route 20 - Shrewsbury - Exciting News!- so noted
- 20. Email, dated May 13, 2020, from Kevin Krasnecky, CMRPC, 1 Mercantile Street, Suite 520, Worcester, re: Capital Investment Plan Public Meetings- so noted
- 21. Email, dated May 14, 2020, from State Representative Hannah Kane, re: State House News Story on Governor's Statement Regarding FY21 Local Aid- so noted
- 22. Letter, dated May 14, 2020, from Michael J. Heffernan, Secretary of Administration and Finance, re: Federal Coronavirus Relief Fund- so noted
- 23. Letter, dated May 17, 2020, from Rob and Deb Luke, 28 Patriot Lane, re: Nuisance Dogs at 47 Memorial Drive so noted
- 24. Email, dated May 18, 2020, from State Representative Hannah Kane, re: Reopening Information- so noted
- 25. Letter, dated May 19, 2020, from Nick Repekta, Highway Division Manager, to Kevin Mizikar, Town Manager, re: Street Sweeping Report- so noted
- 26. Email, dated May 18, 2020, from State Representative Hannah Kane, re: MA Taxpayer's Foundation Revised FY21 Tax Revenue Forecast- so noted

27. Email, dated May 19, 2020, from State Representative Hannah Kane re: UGGA & Chapter 70 Budget funding- so noted
28. Email, dated May 19, 2020, from Chris Lund, 235 Cherry Street, re: Appeal of Approval decision for a Class I License for NITCO, 230 Cherry Street- so noted
29. Email, dated May 19, 2020, from Jay Duquette, MNVU Training LLC, 165 Memorial Drive, re: Please Consider Small Fitness Studios- so noted
30. Email, dated May 21, 2020, from State Representative Hannah Kane, re: New CVS Testing in Massachusetts- so noted
31. Email, dated May 21, 2020, from Mary Ellen Radovanic, 3 Olde Colony Drive, re: Public Lands Committee Resignation- so noted

Respectfully Submitted,

A handwritten signature in black ink that reads "Valerie B. Clemmey". The signature is written in a cursive style with a large, looping flourish at the end of the name.

Valerie B. Clemmey
Administrative Assistant to the Board of Selectmen

Referenced Materials

- 5/26/2020 Remote Script
- 5/26/2020 Town Manager PowerPoint Slides
- 5/26/2020 Wayfinding PowerPoint Presentation