

## **BOARD OF SELECTMEN'S MEETING**

**March 28, 2022**

A meeting of the Board of Selectmen was called to order by Chairman Ampagoomian at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. Board Members Present: Ampagoomian, Athanas, Cannon, Collins and Melia. Also Present: Adam D. Gaudette, Town Manager.

The Pledge of Allegiance was recited by those present.

**APPROVAL OF MINUTES: A. 1) February 14, 2022.** A motion/Mr. Melia, seconded/Mr. Collins to approve the February 14, 2022 minutes as presented with the readings omitted. Vote yes/Unanimous. **2) February 28, 2022.** A motion/Mr. Collins, seconded/Mr. Melia to approve the February 28, 2022 minutes as presented with the readings omitted. Vote yes/Unanimous.

### **PUBLIC HEARING/None**

#### **APPOINTMENTS/By the Board of Selectmen: Board of Registrars (Annual Reappointments):**

##### **1) Linda Zywiec, Town Clerk (Republican Designee) and 2) Janet Burke (Democrat Designee).**

A motion/Mr. Melia, seconded/Mrs. Cannon to reappoint Linda Zywiec, Town Clerk (Republican Designee) and Janet Burke (Democrat Designee) to another 3-year term. Vote yes/Unanimous.

##### **3) Cultural Council: a) Krystina Molt b) Ariel Lopez (Present – Yurima Guilarte-Walker, Chair).**

Ms. Guilarte-Walker noted that Ms. Molt is a retired schoolteacher from Worcester Public Schools and has a bachelor's degree in Sociology and a master's degree in Human Services. Ms. Guilarte-Walker mentioned that Mr. Lopez also has a degree in Human Services and is a Veteran of the United States Airforce. Ms. Molt expressed interest in the Cultural Council to help promote better lives in the community. Mr. Lopez stated that he has been a resident since August coming from Milford where he was active in that community. He added that he has an Associates Degree in Human Services and is looking to serve the town. A motion/Mr. Collins, seconded/Mr. Melia to appoint Ms. Krystina Molt and Mr. Ariel Lopez to the Cultural Council. Vote yes/Unanimous.

### **CITIZENS' COMMENTS/INPUT/None**

**Northbridge Veterans' Council /1) Request to hold the Memorial Day Parade in Whitinsville on Monday, May 30, 2022 at 10:00 AM. 2) Request permission to use Memorial Park for Memorial Day exercises.** Mr. Lessard explained that they are requesting permission to hold the parade this year after not having it for several years due to COVID. Selectman Melia asked if the set up would be the same beginning at Colonial Drive and marching down to Memorial Park. Mr. Lessard confirmed that was correct and added he hopes to add more groups to the parade. A motion/Mr. Melia, seconded/Mr. Athanas to approve the above request to hold the Memorial Day Parade in Whitinsville on Monday, May 30, 2022 at 10:00 AM and to use Memorial Park for Memorial Day exercises. Vote yes/Unanimous.

**Armenian Church / Request to hang a banner across Church Street from Sunday, August 7, 2022 until Sunday, August 21, 2022 to advertise the annual Church Picnic to be held Sunday, August 21, 2022.** A motion/Mr. Collins, seconded/Mrs. Cannon to approve the Armenian Church's request to hang a banner across Church Street from Sunday, August 7, 2022 until Sunday, August 21, 2022 to advertise the annual Church Picnic to be held Sunday, August 21, 2022. Vote yes/Unanimous.

**Spring Annual Town Meeting [May 3, 2022] / Vote to sign warrant upon completion and final review by Town Counsel.** Town Manager Gaudette noted that nothing has changed since the last meeting. He

also said the Finance Committee held their public meeting to discuss all articles contained in the Spring Annual Town Meeting Warrant and the proposed operating budget as submitted. A motion/Mr. Athanas, seconded/Mrs. Cannon to sign the warrant upon completion and final review by Town Counsel. Vote yes/Unanimous.

**Annual Town Election [May 17, 2022]/Vote to notify the Town Clerk to place questions on the Annual Town Election Ballot.** Town Manager Gaudette advised that the board needs to notify the Town Clerk at least thirty-five days prior to a Town Election of any ballot questions. He also noted that Town Counsel split the Charter Amendments into 2 separate questions so there will be 4 questions in all.

**a) Town Charter Amendments.** Last fall, Charter amendments came before town meeting and most of them were approved. Changes included language and grammatical updates. A motion/Mr. Melia, seconded/Mr. Collins to notify the Town Clerk to place Question 2 and Question 3 (Charter amendments) on the Annual Town Election Ballot. Vote yes/Unanimous.

**b) Fire Station Project Funding (Debt Exclusion).** Town Manager Gaudette explained that in 2020, funding for the proposed Fire Station Project was approved by both Town Meeting and the Annual Town Election. With the rise in construction and labor costs, prices have been going up and the project needs are now estimated at a 22% increase, requiring an additional \$4.3 million. There will be a public forum to answer any questions on Wednesday, April 27<sup>th</sup>. First, the appropriation to borrow the additional funds will need to pass at town meeting and second, we will need another debt exclusion question since the amount of money has changed. A motion/Mr. Melia, seconded/Mr. Cannon to notify the Town Clerk to place Question 1 regarding the Fire Station (Proposition 2½) on the Annual Town Election Ballot. Vote yes/Unanimous.

**c) Civil Service Revocation.** Town Manager Gaudette and Chief Labrie conducted a PowerPoint presentation. Currently, Northbridge is in the Civil Service System and has been looking to get out for the last six or seven years. With changes in the Department, it seemed like a suitable time to discuss this issue and bring it before the Board Selectmen and residents. The Civil Service Unit is a division under the Commonwealth's Human Resources Division (HRD) that oversees tests applicants and current employees seeking promotion. HRD also has a Civil Service Commission that manages appeals from employees that have been disciplined or bypassed for promotion or employment. Though Civil Service was adopted in 1884, it has since become outdated. Initially, it was designed to protect hiring and discipline from patronage and political interference. Today, departments have policies and collective bargaining agreements that afford protections to employees. Many towns have left Civil Service due to budget reductions HRD has undergone and they no longer certify appointments or promotions. Employers have chosen to utilize arbitrators because using HRD can take years to resolve. In addition, they are using provisional hires to sidestep testing and hiring regulations. Unfortunately, HRD is unable to keep up with testing and classification needs of agencies in the field and the system makes it difficult for agencies to compete for the best job candidates. Exiting Civil Service would allow for greater flexibility in the promotional process as the exam score and rank does not have to be the only determining factor for who the Department interviews and hires. The Department can also determine the expiration date of the hiring and promotional lists and they can set minimum eligibility guidelines not allowed under Civil Service such as higher education levels. The Town can determine what hiring preferences they want to acknowledge, such as residency, military experience, language proficiency and academy training. The candidate pool would be much larger to select from and departments can diversify their workforce without jumping through hurdles. Departments can recruit educated candidates from colleges to take their exam, allow for flexibility to hire lateral transfers, and have the ability to incorporate community and department specific criteria into promotional exams. Those promotional exams will more accurately gauge an officer's suitability to become a supervisor and it would extend beyond a test score, such as contribution to the community and performance evaluation, and would give the ability to mandate a probationary period for promotions. Town

Manager Gaudette acknowledged that they have been asked what their promotional policy would include. After discussion with the Police Chief and Officer Mitchell, the town would be required to strictly adhere to the appointment and promotional policies. Town Manager Gaudette stated that there are about thirty-five to forty towns that have backed out of Civil Service. Chief Labrie briefly explained that he is looking for the support of the Board of Selectmen and the residents. He also described the many things that have changed since he has been on the force such as their uniforms, vehicles, weapons they carry, and the one thing that hasn't changed is the hiring process. Town Manager Gaudette advised the reason a ballot question is needed to leave Civil Service is because that is the way it was accepted in the first place as the process must be the same for acceptance and revocation. He added that discussions have been held with staff as well, since it is a change in working conditions, which would make it subject to bargaining. Union President, Mr. Mitchell, suggested this is a great step forward to allow for very fair and flexible hiring and promotional processes. Selectman Athanas asked if there were any cons in leaving Civil Service. Town Manager Gaudette explained that if the ballot question passes, it will then be filed with the State Human Resources Division, which means that all existing employees will be grandfathered in for the discipline portion of the statute for civil service and new hires will be subject to the discipline in the collective bargaining agreement. Officer Mitchell reasoned that the only negative impact they were concerned about would be the change, but it has been taken off the table with the transparent language in the agreements. Selectman Melia read aloud a statement expressing his support for the Northbridge Police Department exiting Civil Service. A motion/Mr. Melia, seconded/Mrs. Cannon to notify the Town Clerk to place Question 4 (revoking the acceptance of Chapter 21 of the General Laws (the Civil Service Law) on the Annual Town Election Ballot. Vote yes/Unanimous.

**Cable TV License Renewal Process. Present: Harry Berkowitz, Chairman, Cable Advisory Committee (CAC).** Mr. Berkowitz noted that the CAC has no control over the price of cable service and it is not part of the Cable TV contract. He said the pricing is handled between the cable company and the Department of Telecommunications and Cable. He further stated that a cable company is required to have a license to operate within a municipality. Currently, the Town has Charter and it is assumed that we will renew with them. There are two options for renewal: 1) a formal renewal, which is lengthy, has time restrictions, and can be cumbersome, or 2) to conduct informal negotiations, which Mr. Berkowitz feels would be the best route. He introduced Bill Tartaglia saying that Bill would be the advisor to the CAC but that the Selectmen have the final say about the agreement. Mr. Berkowitz pointed out that the Cable Advisory Committee does not want to include anything in the agreement that the Select Board would not back up in case Charter does not follow through with the terms of the agreement. He further noted that a public hearing with the Cable Advisory Committee, the Board of Selectmen, and Charter representatives is a requirement. Mr. Berkowitz reviewed some of the items the CAC is looking to get as part of the license renewal: **1)** An increase in the percentage of Franchise Fees that are returned to the Town. It was explained that 3.5% of the fees received from Northbridge residents aids in funding the local access channels, but the CAC is looking to increase that to 5%, which is consistent in other towns. Town Manager Gaudette then requested Mr. Berkowitz explain the Public Access Charge. Mr. Berkowitz said that for the first and fifth year of the contract there is a capital expense payment to the Town to buy equipment and pay for operating expenses, which is around \$195,000 dollars. **2)** Request the local channels be broadcast in HD. **3)** Update of the recording system in the Board of Selectmen's meeting room as the technology is over 10 years old. Mr. Berkowitz proposed grant money through ARPA if it is available. Town Manager Gaudette advised that their understanding of the ARPA funding under the cable aspect is to get cable access to people who currently do not have it. Chairman Ampagoomian asked what the timeline is. Mr. Berkowitz replied that the license expires in May of 2023 so the CAC would like to get going and get it done this year. Chairman Ampagoomian requested a copy of the CAC meeting schedule and a brief description of what the CAC does be provided to the Town Manager's Office so it can be added to the website in order to recruit volunteers. He then asked what, if anything, is required from the Board of Selectmen. Mr. Berkowitz voiced that he needs members who are willing to be on the Committee and added that the meetings are held at the studio. Chairman Ampagoomian asked if the Selectmen could put forward any pending requests, if there

are any and Mr. Berkowitz agreed that they could bring any requests forward. Discussion continued regarding the legal aspect of negotiating the contract and to use KP Law (Town Counsel) for that purpose. Mr. Berkowitz asked if the town would cover the cost of the attorney and mentioned that in years past, they were told the town would not cover it. There was no verbal answer, but the following dialogue seems as though there was a nod yes. Selectman Melia asked what their total budget is. Mr. Berkowitz replied that is about \$195,000 dollars. Selectman Melia recommended that the Town Manager do the informal negotiations and then have Town Counsel review everything. Selectman Collins added that a member of the Cable Advisory Committee should also be involved. Selectman Melia stated it was mentioned earlier that there are not enough members on the CAC to meet, then asked if there was anyone on the Committee that would sit in on the negotiations. Mr. Berkowitz responded that they have four members but that is a quorum so all four need to show up. Town Manager Gaudette acknowledged the need for members on the Cable Advisory Committee. He further explained the process of the contract renewal would be for the Advisory Committee to discuss the changes to the existing license, get the Board's approval or in this case the Town Manager's and if he felt the Board needed to make a further decision, he would bring it before the Board. Then negotiate with Charter and once negotiations are complete Town Counsel would review and approve the changes and it would go before the Board of Selectmen and the Advisory Committee at a hearing. Chairman Ampagoomian acknowledged that he heard Verizon was planning on opening their services to other communities. Mr. Berkowitz explained that letters have been sent to Verizon and Comcast requesting their services, but the way the State sets up the renewal is to favor the cable company that already has infrastructure and the investment. Chairman Ampagoomian asked how negotiations are going in other surrounding communities. Mr. Tartaglia commented that he has been monitoring negotiations in other Towns and they are receiving the 5% and the contracts are ten years. The discussion ended and the Cable Advisory Committee was asked to keep the Town Manager in the loop as far as negotiations and a public hearing.

**TOWN MANAGER'S REPORT: 1) Key Meetings Attended:** Monday, March 14, 2022 – Weekly Fire Station Conference Call with Design Team. Monday, March 14, 2022 – Attended the Board of Selectmen Meeting. Tuesday, March 15, 2022 – Met with Dan Lessard from BV Veterans regarding Memorial Day plans. Wednesday, March 16, 2022 – Attended the Finance Committee Public Meeting to discuss the FY2023 Budget and ARPA. Thursday, March 17, 2022 – Met with Selectman Melia to discuss Agendas and Projects. Tuesday, March 22, 2022 – Attended the virtual Planning Board Meeting for the Fire Station Project. Wednesday, March 23, 2022 – Attended the Finance Committee Meeting for their voting on the Warrant Articles for SATM. Thursday, March 24, 2022 – Held a virtual Department Head Meeting. **2) Fire Station Project:** The General bid has been advertised as plans are at 100%. A set is on the table in the Selectmen's Room for viewing. The subcontractor bids will be due April 14<sup>th</sup> and the general contractor bids will be due April 28<sup>th</sup> so that final numbers are available for Town Meeting. The Town Manager will hold a Public Forum on the project on Wednesday, April 27<sup>th</sup> at 7 pm. **3) Northbridge Elementary School Reuse Study:** The BPCC has selected Abacus Architects to perform the study. The next step is to enter into an agreement and issue a Notice to Proceed. A project kick-off meeting will take place in April. **4) Fire Department Radio Communications Study:** The firm CTA has been selected to perform the study and a Notice to Proceed was issued this past week. Chief White and Chief Labrie have recently participated in kick-off meeting. **5) Fire Department Strategic Plan:** The Town Manager and Fire Chief selected the consultant CPSM for this project. The services agreement has been finalized and the Town Manager issued the Notice to Proceed. The Project is expected to be completed in the next 60 days. **6) American Rescue Plan Act (ARPA):** Now that the recommended Funding Project Plan has been approved, projects are able to move forward. The Town Manager is putting together contracts with the non-profits and departments will need to coordinate necessary procurements. **7) FY2023 Budget and SATM Warrant:** The Finance Committee met this past week on March 23<sup>rd</sup> to vote their positions on the articles in order to prepare the Booklet for Town Meeting. This coming March 28<sup>th</sup>, the Board of Selectmen will vote to sign the Warrant pending Town Counsel Review and vote on any Ballot Questions for the Town Election in May.

Town Manager Gaudette provided a reminder that the Annual Town Meeting is scheduled for May 3, 2022 at 7 PM at the Middle School and the Annual Election will follow on Tuesday, May 17, 2022.

**SELECTMEN'S CONCERNS:** **Selectman Melia** was notified by a resident of the hazardous conditions on Sherry Street and they are looking to have it repaved. He then asked Mr. Luchini if he had a chance to see the road yet. Mr. Luchini replied he had not had a chance today and plans to see it tomorrow. **Selectman Athanas/1)** mentioned the road across from Clarks. Mr. Luchini replied that they have been monitoring and filling the potholes and when the Uxbridge Hot Top Plant opens in April, they will be sending out a crew to fill the holes. **2)** asked when the sweeper will be out. Mr. Luchini replied that the sweeper has been out on the warmer days and they have completed the Swift and Mason neighborhoods. **Selectman Collins** asked if there was a prioritized list of roads to be paved. Mr. Luchini stated that when he first started there were about 23 roads they were targeting to be repaved and they have gotten through 14 of them. He explained that sometimes a road will fail faster than others and it moves up on the list. He is aware that Mendon Road is terrible and they will not be able to do the whole thing, but they will look to do the worst portions. Other roads like Carr Street and the top of Church Street are also in desperate need of repair. Mr. Luchini stated that the funding they receive for Chapter 90, unfortunately doesn't go that far. Selectman Collins noted that we need to contact our Senators and Representatives to raise the amount of Chapter 90, especially with the price of everything going up. Town Manager Gaudette noted that the Massachusetts Municipal Association does ask for an increase in Chapter 90 every year and unfortunately the amount has been the same since the 70's. **Chairman Ampagoomian** mentioned that he received a service award from the Whittin Community Center, for which he was very humbled. He acknowledged that he found out who nominated him for the award, which was former Selectman Jack Davis. He thanked Mr. Davis for his commitment to the Town and for showing confidence in him.

**ITEMS FOR FUTURE AGENDA/None**

**CORRESPONDENCE/None**

**EXECUTIVE SESSION/None**

**A motion/Mr. Melia, seconded/Mrs. Cannon to adjourn the public meeting. Vote yes/Unanimous.**

**Meeting Adjourned: 8:05 PM**

**Respectfully submitted,**

**Russell D. Collins, Clerk**

**/mjc**

## **LIST OF DOCUMENTATION**

### **BOARD OF SELECTMEN'S MEETING - OPEN SESSION**

**March 28, 2022**

#### **PLEDGE OF ALLEGIANCE**

#### **I. APPROVAL OF MINUTES: A. 1) February 14, 2022**

**-Copy of February 14, 2022**

**2) February 28, 2022**

**-Copy of February 28, 2022**

#### **II. PUBLIC HEARING**

#### **III. APPOINTMENTS:**

##### **B. By the Board of Selectmen:**

##### **Board of Registrars (Annual Reappointments):**

**1) Linda Zywiec, Town Clerk (Republican)/No documentation**

**2) Janet Burke (Democrat)/No documentation**

**3) Cultural Council: a) Krystina Molt**

**-Copy of talent bank form for Krystina Molt**

**b) Ariel Lopez (Present – Yurima Guilarte-Walker, Chair)**

**-Copy of talent bank form for Ariel Lopez**

#### **IV. CITIZENS' COMMENTS/INPUT**

#### **V. DECISIONS:**

**C. Northbridge Veterans' Council /1) Request to hold the Memorial Day Parade in Whitinsville on Monday, May 30, 2022 at 10:00 AM. 2) Request permission to use Memorial Park for Memorial Day exercises**

**-Copy of letter requesting the Selectmen's approval**

**D. Armenian Church / Request to hang a banner across Church Street from Sunday, August 7, 2022 until Sunday, August 21, 2022 to advertise the annual Church Picnic to be held Sunday, August 21, 2022**

**-Copy of email requesting approval to hang a banner**

**E. Spring Annual Town Meeting [May 3, 2022] / Vote to sign warrant upon completion and final review**

**by Town Counsel**

**-Copy of FY23 Budget Calendar**

**-Copy of Warrant for the Spring Annual Town Meeting**

**F. Annual Town Election [May 17, 2022]/Vote to notify the Town Clerk to place questions on the Annual Town Election Ballot**

**-Copy of ballot questions**

**a) Town Charter Amendments**

**-Copy of letter from the Attorney General's written opinion Charter Amendments**

**-Copy of report from the Charter Review Committee**

**b) Fire Station Project Funding (Debt Exclusion)**

**-Copy of Fire Station flyer**

**-Copy of tax rate impact**

**-Copy of estimated projection**

**c) Civil Service Revocation**

**-Copy of presentation**

**VI. DISCUSSIONS:**

**G. Cable TV License Renewal Process/Present: Harry Berkowitz, Chairman, Cable Advisory Committee**

**-Copy of Cable renewal process guide**

**VII. TOWN MANAGER'S REPORT/No documentation**

**VIII. SELECTMEN'S CONCERNS/No documentation**

**IX. ITEMS FOR FUTURE AGENDA/None**

**X. CORRESPONDENCE/None**

**XI. EXECUTIVE SESSION/None**