

**Select Board Meeting  
Minutes  
February 15, 2023**

Select Board Chair Mr. Kobus, Select Board member Ms. Dickhaut, Select Board member Ms. Perusse, Select Board member Mr. Kerrigan, Devault were in attendance. Select Board member Mr. Devault was absent. Attendees were Town Administrator Ward, Assistant Town Administrator Snell and Solicitor Gibbons. Chair Mr. Kobus opened the meeting at 7:02PM.

**Public Comment**

Mr. Dennis Ciccone of Ciccone Family Fitness Center was before the board. He explained he was before the board to be brought up to speed on the Corona Disaster relief funding, he has a business that was most effected by the pandemic, the fitness center. He was able to borrow \$375, 000 from the SBA, and it is coming due to start paying back, and he also received \$10,000 from the town which he will have to start to pay back. The funding is to be used towards disaster relief. Chair Mr. Kobus explained he should be working with the Community & Economic Development Director Mr. Duffy and Administrator Ward. Mr. Ciccone explained he has done that, and that is why he is before the board. He understands there is \$4 million available and \$150,000 has been discussed to be used towards businesses that are struggling. The board asked how much funding he is looking for. Mr. Ciccone explained he isn't sure he would have to ask his lawyer and accountant. He asked if the intended use of the funding is to be used for families and businesses struggling. Chair Mr. Kobus explained there is a wide umbrella, anything that has been impacted. At this time the board is assessing the information from ARPA and a portion can be used for small businesses. He asked Mr. Ciccone if he had spoken with Mr. Duffy and Administrator Ward and still has questions regarding the funding. Chair Mr. Kobus asked Administrator Ward to review the process for small business eligibility for ARPA funds. Mr. Kerrigan asked Mr. Ciccone about the loan he received from the town. Mr. Ciccone explained he received \$5000.00 the second \$5000.00 making a total loan of \$10,000. Would the town forgive the \$10,000 at a minimum to assist business? The intended use was to assist the businesses at the time, he was shut down and unable to open for business. Moving forward how will the intended use of the funding be, how will businesses be informed? No one has contacted him to inform him these funds existed. Chair Mr. Kobus explained the ARPA task force was created to follow the guidelines on spending. Mr. Ciccone explained he has been reviewing the meeting minutes and is aware only 4% of the funding will be used to assist businesses affected by the pandemic. Mr. Kerrigan explained it may be more. Mr. Ciccone asked for there to be a consideration for more funding to be used to assist businesses and families directly affected. Mr. Kerrigan replied noted. Chair Mr. Kobus stated the task force is made up

of Department Heads who are presenting programs for funding to the Select Board. Administrator Ward agreed there has been funding set aside to support business programs, he explained loans and grants have been made available. Once the last round of departments have presented tonight later on in the meeting, the board will continue by developing an action plan. Mr. Ciccone asked if at that time will the businesses be contacted and made aware of the funding available. Administrator Ward explained when completed. Ms. Perusse explained it is complicated. Chair Mr. Kobus stated the various department heads have created a vision for the funds and are presenting it to the board to discuss, this is the initial process. Administrator Ward agreed the next step is the board will review the eligible uses to determine best use in the community. Mr. Ciccone asked if Mr. Duffy will be the representative for the town. Administrator Ward explained the ultimate decision is the Select Boards approval, they will craft the guidelines for the programs. Mr. Ciccone thanked the board.

### **Review of Minutes**

The board received minutes from January 18, 2023 & February 1, 2023 Selectmen's meeting for review and approval. Mr. Kerrigan made a motion to approve minutes as presented. Mr. Perusse seconded the motion. The vote was unanimous.

### **Earth Removal Permit Public Hearing – 191 Stone Street**

Chair Mr. Kobus opened the hearing and invites the applicant forward. Mr. Stephen McNamara who stated he has lived in Clinton all his life, and runs Heritage Landscape and Trucking of HLT Realty Trust was before the board. Mr. McNamara explained he purchased property at 191 Stone Street and has received approval from the Planning Board to build a building, but a bunch of dirt is in the way. Chair Mr. Kobus opened the hearing for Public Comment asking if there was anyone to speak in favor of the application. There were none. He opened up for comment in opposition of the application, there were none. Chair Mr. Kobus closed that portion of the hearing. Mr. Kerrigan asked Mr. McNamara if the structure there now is his, and has earth been removed. Mr. McNamara explained the building there now is James Tomolo's. Mr. McNamara explained he intends to build a 200 foot wall where the earth product is being removed, nothing has left the site just moved to build building next store. Mr. Kerrigan asked for clarification so you are building a different structure then the one that is there now, you are building to the left, an additional structure. Mr. McNamara explained yes, he was digging out to get ready to remove, he explained he plans to take out more earth. Mr. Kerrigan asked if it is 3500, 3000 or 2500 he has heard all these amounts. Mr. McNamara explained he can't recall off the top of his head. Mr. Kerrigan asked for the length of time and how much will be removed. Mr. McNamara explained about 2 weeks running 3 trucks daily, 8 hours a day. Mr. Kerrigan asked how many trips. Mr. McNamara explained about 60 trips altogether. Mr. Kerrigan asked so about 3500 yards. Mr.

McNamara stated he isn't sure if he had a calculator he could do the math. Mr. Kerrigan explained so you estimate about 60 trips over 3 weeks. Mr. McNamara explained two weeks. Mr. Kerrigan stated let's make it three weeks, he explained he has no idea if this is realistic. Ms. Dickhaut made a motion to grant the Earth Removal permit as presented. Ms. Perusse seconded the motion. Under Discussion: Mr. Kerrigan asked if there is any protocol if this goes over, he wants to be sensitive to the neighbors. Solicitor Gibbons stated in the by law section 6420 there are specific conditions that have to be written in the permit, the permit is then taken and recorded at the Clerk's office, he can add in the specifics. Mr. McNamara explained it will be 800 yards daily 160 yards a truck. Mr. Kerrigan explained he wants to be sensitive to the neighbors. Solicitor Gibbons asked if the trips would be done Monday through Friday. Mr. McNamara stated yes. Ms. Dickhaut stated she approved the request because the area is a commercial zone, the route would be over Main Street or Allen Street. Mr. McNamara agreed explaining he will be taking Stone Street to Allen Street to bring material to Neck Road in Lancaster. The vote was unanimous. Chair Mr. Kobus explained the next steps the decision is recorded with Clerk and there will be a 21 day appeal period.

### **Motion to continue out of Agenda Order**

Mr. Kerrigan made a motion to take Administrative Business out of order. Ms. Perusse seconded the motion. The vote was unanimous.

## **ADMINISTRATIVE BUSINESS**

### Water/Sewer/Trash Abatements

Chair Mr. Kobus reviewed Superintendent McGown submitted a list of abatements in the amount of \$8,415.18 from the last billing cycle for the boards review and approval. Mr. Kerrigan made a motion to approve the Water/Sewer/Trash abatements in the amount of \$8,415.18 from the last billing cycle as presented. Ms. Dickhaut seconded the motion. Under Discussion: Ms. Perusse asked what is considered high usage. Superintendent McGown explained this was instituted about 15 years ago, it covers when there is a high usage more than normal on an account, like a small leak that wasn't detected, like a toilet or something. It was decided a one time high usage abatement can be applied. The vote was unanimous.

### One Day License Request

Chair Mr. Kobus reviewed the board has received a request for a One Day License to be used in conjunction with Irish Supper event on March 11, 2023, hosted by St. John The Guardian of Our Lady Parish, to be held at the St John Gym location. Father Mazzone was before the board to officially request the permit serving Beer & Wine only. He explained they will ensure no one will be overserved, they have some Fire Fighters serving, there will be entertainment and the Irish Step Dancers will perform. Mr. Kerrigan

made a motion to approve the request for a One Day Beer & Wine Permit to be used on March 11, 2023 from 3:00PM to 6:30 PM for the St. John the Guardian of Our Lady Parish. Ms. Perusse seconded the motion. Under Discussion: Father Mazzone asked for the time to be amended to 1:00PM to 6:30PM. Mr. Kerrigan made a motion to amend the motion to reflect the time of event from 1:30PM to 6:30PM. Ms. Perusse seconded the motion. The vote was unanimous. Vote on amended motion to approve the One Day Beer & Wine License to be used on March 11, 2023 from 1:00PM to 6:30PM for the St. John the Guardian of Our Lady Parish. The vote was unanimous.

### **2023 Community Development Block Grant Public Hearing: Director Phil Duffy**

Mr. Duffy explained the hearing was advertised for a 7:45PM start time.

### **Downtown High Street Sidewalk Review- Superintendent of Public Works**

Chair Kobus stated Mr. Devault initially put this on discussion, he shared information he collected providing photos and review of the High Street sidewalks. Superintendent of Public Works Mr. Chris McGown was before the board. He reviewed he is aware of the cracking and stated it happens, often times, it is not the end of the world. He explained you are gonna see cracks on sidewalks no matter where you go, it is very common. He reviewed photos and the cracks on the street, he thinks the warranty for the work is one year which is up. He explained the next time there is concrete work being done in town he will have the sections replaced, not everyone but the ones with substantial cracks. He explained the board can have Solicitor Gibbons review the contract for the project but the warranty is typically one year. He reviewed cracking is common especially if there are things added to the area like the light poles and irrigation, these may cause cracking. Ms. Perusse asked if the areas will be replaced could they crack again. Mr. McGown explained yes, there are 2 types of concrete and 30% crack, it is inevitable. Chair Mr. McGown explained this was added by Mr. Devault so it may be added for another agenda item after he reviews what Mr. McGown has discussed.

### **ARPA Task Force Preliminary Recommendations**

#### *Facility Department*

Director of Facilities Mr. Brian Farragher was before the board, he presented the board with an updated document with the proposed projects for ARPA funds. He explained he had updated his list since first creating it to avoid overlap of other departments, he was aware the Fire Chief spoke about the new HVAC roof top units needed. He began review of the list beginning with costs for the air quality system in the town hall including the auditorium. The request for projects is approximately \$400,000, the biggest expenses are the maintenance costs for the 15 town buildings, including the schools. This funding will go a long way and allow proactive maintenance in replacing units that are needed. Using this funding will free up funds in the operations line item. Ms. Dickhaut asked if there is

funding requested to replace the auditorium seating. Mr. Farragher explained he is working on getting some costs for that expense. He thanked the board for their time.

### *Council on Aging*

Director of the Council on Aging Ms. Debra Goodsell was before the board with a request of \$50,000 in ARPA funding to cover the cost of architect plans for the carriage house. She has plans for an expansion to accommodate a larger space for hosting programming that the center doesn't allow for. She explained the fitness classes are large and there isn't enough space to host them on site at the center, she is able to use the Park & Recreation Building but would like to accommodate them at the center. The fitness programs are very popular and need a large space. She would also like to expand with new programs and isn't able to in the current space. With COVID we are in need of large space to accommodate the protocol of spacing. Ms. Perusse asked about some funding that has been donated to improve this space. Ms. Goodsell explained the Leominster Credit union generously donated \$20,000 and Senator Cronin's office secured funding as well. She explained the center will expand the night hours to include Thursday evenings, to allow access to the center and food pantry and additional programs. There re a lot of good things going on. Chair Mr. Kobus asked about plans for the second floor, would you entertain the idea of getting a price on it. Do you have a vision for it, would you consider doing it down the road, space is limited everywhere. Ms. Dickhaut stated the space would need to be handicap accessible. Ms. Goodsell agreed, stating the intent is to keep the integrity of the structure and preserve the stalls, they are historic and will be cleaned up, they will be gorgeous,

### *DPW Department*

Superintendent of Public Works McGown was before the board with a request of \$125,000 in ARPA funding to cover the cost of an upgrade to the waterline on Church Street to enable the new fire suppression system at the Presentation Apartment complex managed by the Housing Authority. He has been working with the Director on the design for the waterline, it will be connected from the Union Street line, and a 12 inch line will go up Chestnut Street and connect to the complex at the back. The design is about 90% completed, the estimation for construction is about \$200,000, including the engineer, construction and oversight costs. At this time, \$100,000 has been earmarked by the state so \$125,000 would be needed in ARPA funding to complete the project, or the request can be made at Annual Town meeting for funding. Mr. McGown stated this is a great way to spend the ARPA funding, if approved the project can begin in the Spring. Chair Mr. Kobus asked if the new line will go up by St John's gym and has Father Mazzone been notified. Administrator Ward explained he has mentioned it and Father Mazzone would like to review the plans. Mr. McGown explained it will go right through the property and provide an upgrade option to the gym also. Chair Mr. Kobus asked if this is a time

sensitive request. Mr. McGown stated yes this is time sensitive. Ms. Dickhaut explained being time sensitive, she made a motion to approve the requested ARPA funding of \$125,000 to be used to upgrade waterline for the Housing Authority project as requested, once the Church has been notified. Mr. Kerrigan seconded the motion. The vote was unanimous.

#### *WHEAT Assistance*

Mr. Duffy was before the board with an update explaining the CDBG grant will not be able to be used to provide funding assistance to the construction project at WHEAT. He reviewed there is not enough time for this to be an eligible project, all the other funding is in place for the project.

#### **2023 Community Development Block Grant Public Hearing: Director Phil Duffy**

Chair Mr. Kobus opened the hearing. Mr. Duffy addressed the board explaining he is seeking approval of the 2023 application for the CDBG application. Part of the process is to review the prior project completed with grant funding, the 2021 grant supported the Ash Street project to finalize plans, in March the design should be completed, in April the project will go to bid and the contract awarded and construction to begin in June once school is out. Projected timeline is 2 to 3 months, it should end by September for the start of school. To remain in compliance with the grant a waiver application has been made to release the funds. The downtown sidewalk project was supported through some grant funding, there were deteriorating sidewalks on High Street which have been updated along with the Walnut Street area, and the sidewalks have been replaced. He hopes to continue with improvements to adjacent sidewalks over the next few years. He expressed 2 projects to be supported by this application amount to about \$495,000, they will improve access to the downtown including upgrades to the south side of Walnut Street with lighting and sidewalks. This year the application will be for a rolling amount over the next 2 years of \$825,000.

Chair Mr. Kobus open the hearing for public comment in support of the application, there was none, in opposition, there was none. He opened discussion for questions from the board. Mr. Kerrigan asked what the next steps are. Mr. Duffy explained the application is due on March 3, so he will be seeking approval of the application and proposed budget at the next board meeting on March 1st. Mr. Duffy reviewed a lot of work has been completed since 2015, 13,000 feet of deteriorating sidewalks were identified and so far 10,000 feet have been replaced. These improvements have benefited the entire community, engaging more and providing improved walking throughout the community. Mr. Kerrigan made a motion to approve the application to be completed by the information shared at this hearing. Ms. Dickhaut seconded the motion. The vote was unanimous.

## **Old & New Business**

### Reserve Fund Transfer

Chair Mr. Kobus explained a request for approval of a reserve fund transfer has been presented to the board to cover invoices from Parker Environmental. In the amount of \$12,920.40 for site testing work performed as required by Mass DEP regarding the release of firefighting foam during a training exercise at the CFD. Administrator Ward explained to remain in compliance with the DEP the monitoring is required. At this time the amounts are below the reportable amounts. The final testing will take place in culvert which leads to open water at Prescott Mills. Hopefully the case will be closed in May when final report is due. Mr. Kerrigan made a motion to approve a reserve fund transfer to cover invoices from Parker Environmental. In the amount of \$12,920.40 for site testing work performed as required by Mass DEP. Ms. Perusse seconded the motion. The vote was unanimous.

### Board Protocol and Select Board Norms

Chair Mr. Kobus explained he has mentioned this earlier this fiscal year. He had prepared draft document used by other boards as standards and norms to conduct business. It contains norms on how to engage one another in conducting business during board meetings. This is something we can take a look at. Ms. Perusse explained she read draft and asked if this it implemented in other towns. Mr. Kerrigan agreed he is open to codify these things, it is common sense we do not always agree. All have best interest of the towns on our minds maybe a different lens. Ms. Dickhaut stated she agrees there may be disagreements but we are all adults and the focus is to represent the town's people, this is something that is not needed, we do not need something in writing. Chair Mr. Kobus explained we are here to work together and it is necessary to put something together, Mr. Ward shouldn't have to be the in between, to communicate between members, not a good position to put him in. Ms. Dickhaut stated she disagrees the Administrator's job is to communicate with entire board, he is here 5 days a week running the town. Chair Mr. Kobus explained he hopes communications to board members can be responded to. Mr. Kerrigan stated he does not disagree, Administrator Ward is responsible to run the town, and the Chair manages the board for a year, the bar is set low to respect each other, how enforce. Chair Mr. Kobus stated this is a reminder we have to work together to work in the best interest of the town.

## **Committee Reports**

### *Town hall Space Evaluation Committee*

Chair Mr. Kobus explained the committee had a meeting on Monday and toured the building, the building is enormous. There is a large area in the basement being used as a catch all. Ms. Dickhaut agreed explaining Assistant Town Administrator Snell is reviewing the process to digitalize files and create more space for business usage

downstairs. Chair Kobus noted there is an office move scheduled for the weekend to accommodate operation standard, this will be a nice change.

### **Community Announcements**

#### *Trash Delay Due to Presidents Day Holiday*

Chair Mr. Kobus announced the committee met on Monday will be a one day delay in trash collection for residents whose collection day is scheduled on Monday. Pick up will take place on Tuesday, there will be no other days affected.

#### *COVID-19 Vaccine & Booster Clinic*

Chair Mr. Kobus announced the Bigelow Free Public Library will be hosting a free COVID -19 Vaccine & Booster Clinic on February 17, 2023 from 11AM to 3PM.

#### *Public Meeting to Review Concept Plans for the Mass Central Rail Trail*

Chair Mr. Kobus announced the concept plan for the design of the Mass Central Rail Trail will be presented by Tighe & Bond the firm the town hired to conduct the design phase on February 21, 2023 at 7PM in the Chamber room of town hall. Feedback from the public will be accepted and helpful in the completion of design.

#### *School Incident February 14, 2023*

Ms. Perusse stated she wanted to commend the actions of all in response to the incident yesterday at the school department. The teachers and public safety staff stepped up to ensure safety of all. Mr. Kerrigan agreed as a parent it is awful news to get, at no point did he feel left in the dark, there was a steady stream of communication. Ms. Perusse stated she was proud to be a "Clintonian" yesterday for sure.

Chair Mr. Kobus stated the next board meeting is scheduled for Wednesday March 1, 2023.

Mr. Kerrigan made a motion to adjourn the meeting at 8:16PM. Ms. Perusse seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero

Executive Assistant Town Administrator/Select Board