

**Selectmen Meeting
Minute
February 2, 2022**

Chairman Kerrigan, Selectman Kobus, Selectman Devault, Selectman Boisoneau and Selectman Perusse were in attendance. Attendees were Town Administrator Ward and Solicitor Gibbons. Chairman Kerrigan opened the meeting at 7:00PM.

Public Comment

There was none.

Review of Minutes

The board received minutes from January 5, 2022 Selectmen's meeting for review and approval. Selectman Boisoneau made a motion to approve minutes as presented. Selectman Devault seconded the motion. The vote was unanimous.

Board of Health COVID update

Chairman Kerrigan explained members of the Board of Health are in attendance for discussion of a COVID update in the community, he invited them forward. Chairman of the Board of Health Steve Lipka and Health Agent Tom Bonci were before the board. Mr. Lipka explained Mr. Bonci will update the board on the current number of cases in the community. Mr. Bonci explained currently there are 157 cases being monitored, 27 which are from the school. From January 3 to January 31, 5% of the cases in the Montachusett Public Health Network have been hospitalized, 95% of cases reveal symptoms. He reviewed the health network is doing all the reporting and monitoring of the cases, they received a grant to hire an epidemiologist and 8 contact tracers. They are monitoring all the active cases in the community, a resident can contact the local board of health to receive contact information for the network. Mr. Lipka explained the grant received is \$900,000 and covers the cost of the tracing program and staff. They are conducting all interviews and tracing for the community. Mr. Bonci explained through the grant he was able to get testing kits which have been distributed to the Police and Fire Departments, the Senior Center along with WHEAT Community Services. Mr. Lipka explained the supplies are getting low, and they would like the approval from the board to order more and dispense them in the community. It is a fluid market. Chairman Kerrigan asked Town Administrator Ward if there is a funding source available for the purchase of additional PPE and testing kits. Administrator Ward reviewed there is approved funding that qualifies to cover the purchase of the testing kits and PPE, if they are to be distributed community wide the ARPA funding may be used. Mr. Bonci explained MPHNS had recently purchased 75,000, the town can reimburse the network for the kits. Selectman Devault

asked the number of tests needed. Mr. Lipka explained they could start with about 5000. Mr. Bonci explained they can dispense them on different days, the kits do have expiration dates so they cannot be stored for too long, currently the test kits expire on July 2023. Selectman Devault asked the cost for 2000 test kits. Mr. Lipka explained they will inquire. Selectman Kobus made a motion to approve the Board of Health work with Mr. Ward to secure COVID 19 test kits necessary that the budget allows. Selectman Devault seconded the motion. Under Discussion: Chairman Kerrigan agreed it is smart to not stock pile the kits, just get what the community needs. Selectman Devault reminded residents if you test positive at home, please report it to the health network. Mr. Bonci agreed announcing the contact number to be used is 978-602-2356. Mr. Lipka explained the department is still getting calls and residents are able to speak with the Public Health Nurse. The vote was unanimous.

Joint Meeting with Bigelow Public Library Board of Trustees

Chairman Kerrigan invited members of the Library Trustees forward for discussion on the joint appointment to the board vacancy. Chairman of the Trustees Ms. Wendy Neil was before the board, members were in attendance Ms. Karen Nugent, Ms. Gloria Parkinson, and Ms. Sara Langilnelli along with Library Director Marie Latiere. Ms. Neil reviewed the board has received a letter of interest from Mr. Colby Armstrong, he has shown interest in serving on the board along with initiative and desire, he attended the last board meeting. He believes in the library and wants to serve the town, he is a great candidate. Ms. Neil made a motion to nominate Colby Armstrong to fill the vacancy on the board. Chairman Kerrigan explained the seat is open until the June election, then the candidate will have to seek re-election. Ms. Neil explained it would be an appointment for about 4 months. Administrator Ward agreed explaining the term is up in June, the appointment is to fill vacancy until the next election and then the remainder of the term is to be elected. In this case it is the end of the term, so the election is for a new term of 3 years. Solicitor Gibbons explained a roll call vote from both boards is necessary. Selectman Kobus made a motion to appoint Mr. Colby Armstrong to the Bigelow Free Library Board vacancy. Selectman Boisoneau seconded the motion. Roll Call Vote: Library Trustee Chairman Neil "aye", Library trustee Ms. Karen Nugent "aye", Library trustee Ms. Gloria Parkinson "aye", and Library trustee Ms. Sara Langilnelli "aye", Selectman Perusse "aye", Selectman Devault "aye", Selectman Boisoneau "aye" Selectman Kobus "aye" and Chairman Kerrigan "aye".

National Grid: 55 Sterling Street (cont.)

Chairman Kerrigan invited the National Grid representative forward for the continuation of the pole petition hearing for 55 Sterling Street. Mr. Javier Morales representing National Grid was before the board. Mr. Javier Morales from National Grid 939 Southbridge Street, Worcester was before the board. He explained he met on site with

the Director of Public Works and the abutter at 10 Parker Street along with property owner at 55 Sterling Street and reviewed the proposed design and the explanation for it. He reviewed Peter the owner of 10 Parker Street discussed his concern with the parking request, it was concluded the service at 10 Parker Street will be reviewed and possibly an upgrade to the building can be completed once the work for 55 Sterling Street is finished. Chairman Kerrigan explained the abutter with opposition to the request isn't in attendance. He asked Administrator Ward if he was notified of the hearing continuing tonight. Administrator Ward indicated the notice is sent to abutters for the initial hearing. Selectman Devault explained he is confused the National Grid representative has met with two groups one opposed, the hearing is reconvened and one party is here and one is not. Mr. Morales explained all were happy when they left the meeting, he was planning to open the upgrade request and get the voltage to Parker Street the owner wanted. Administrator Ward asked if the property owner was aware of the meeting. Mr. Morales explained he cannot speak for the abutter. Selectman Devault asked if he received any confirmation from the other party. Solicitor Gibbons reviewed the hearing was continued to a specific date, the March meeting. Selectman Devault agreed the March 2 meeting, he was surprised to see this on the agenda so early. Selectman Kobus made a motion to take the opportunity to confirm with the other party to attend meeting so all three can approve or deny at the next meeting on February, on the 16th. Mr. James Cunningham of 55 Sterling Street requested to make a brief statement. He explained there was a meeting with Superintendent McGown, Scott Farrar of National Grid, Peter and his Attorney Mr. O'Neil and we all came to agreement, and this may be why they did not come back to the meeting. Selectman Devault made a motion contingent on the verification the other party is aware and chose not to attend this meeting. Selectman Kobus suggested making an amendment to the motion for approval at the next meeting weather the abutters here or not. Selectman Devault made a motion to amend the motion for immediate approval of the request once we get confirmation from the abutter. Selectman Perusse asked how the abutters are notified. Solicitor Gibbons explained through certified mail all abutters are notified of the initial hearing. Chairman Kerrigan reviewed there was a problem for one of the abutters. Solicitor Gibbons stated he will get in touch with Attorney O'Neil to confirm his client was aware of the petition proceeding on. Selectman Devault made a motion to approve the petition request on the condition that the other party has been notified the meeting was happening and is ok moving forward. Selectman Perusse asked whose calling who? Mr. Cunningham asked to make a statement. Chairman Kerrigan told him no he was a guest and couldn't speak. He recapped the Town Counsel will confirm by reaching out to Attorney O'Neil and then we can move forward. Selectman Boisoneau seconded the motion. The vote was unanimous.

ALS Paramedic Committee Update Discussion

Chairman Kerrigan explained this has been a long and windy road. Selectman Devault explained he is interested in a committee update. Selectman Kobus stated he spoke with Solicitor Gibbons regarding the negotiations and opening contract for collective bargaining. This is scheduled for an Executive Session later in the meeting. Chairman Kerrigan agreed explaining the Executive Session will get started tonight on thoughts, but the problem is it is a puzzle regarding the capacity, additional people, where to house them, use surplus property, that would require renovations. They would have to find space before the positions are approved. Selectman Kobus stated the initial discussion is can we budget while the collective bargaining is underway. Can we ratify when the budget hasn't been set. This is something to explore where to house them can be done simultaneously.

Administrator Business

There was none.

Old & New Business

Naked Nature LLC Cannabis Cultivation Host Community Agreement

Chairman Kerrigan reviewed the board has received a draft of a Host Community Agreement for the Naked Nature LLC, of 75 Green Street. It seems to be somewhat of a revolving door at this property. He isn't sure of the cost to negotiate these agreements and then it seems they are never utilized. The Community & Economic Development Director has indicated there is a revolving door at this property, the set up isn't happening. Solicitor Gibbons explained the provisions of the HCA is the \$3000.00 in legal fees are part of the HCA, the fees are covered by the applicant. Chairman Kerrigan stated it is a free roll for us. Solicitor Gibbons stated the point is well taken a lot will not move forward, in this agreement the applicant has been approved and it is in process with the state. Administrator Ward explained he is aware others who were pursuing space had an issue with the utilities, all is viable as of now. Selectman Boisoneau made a motion to grant the Host Community Agreement for Naked Nature, LLC as presented. Selectman Kobus seconded the motion. The vote was unanimous.

Walnut Street Closure for Wellness Health Fair on August 14, 2022

Chairman Kerrigan explained the board has received a request from the College Church in South Lancaster to close Walnut Street on August 14, 2022 in conjunction with a Health Fair they are hosting in Central Park. Administrator Ward explained the request is to close the Street from Union to Church to go along with the Health Fair on Sunday, August 14, 2022, to host food truck vendors and activities. This would be impactful to use of the municipal lot, but it is a Sunday. Selectman Boisoneau made a motion to grant closure of the street as requested. Selectman Devault seconded the motion. Under Discussion:

Selectman Devault would like to contact the churches to ensure this will not be impactful to their services. Administrator Ward explained a condition can be set for them not to block the street for church services. Selectman Devault made a motion to amend the motion with no interruption to the Church Services that are hosted on Sundays on Walnut Street. Selectman Kobus seconded the amendment. The vote was unanimous for amendment. The vote was unanimous for the amended motion.

Recognition of Green Light Studios-CHS Sports Coverage

Chairman Kerrigan explained this is something Selectman Devault would like to speak on. Selectman Devault explained he would like to keep the continual recognition of excellence on going. A good place to continue is with recognition of the collaboration between the school and town for the coverage of the sporting events. Over the last two years it has been a pleasure to watch the CHS sports coverage, it has been great. It is a pleasure to watch and was part of his vision when joining the cable committee. It is worth the investments made to upgrade equipment and enhance the program. He would like to recognize the participants as we did at the last meeting for the Downtown project. Chairman Kerrigan agreed asking Selectman Devault to put together a list of people, he would be happy to invite them in to a meeting for recognition.

Clinton Hospital Relations

Chairman Kerrigan explained Selectman Devault asked for this to be reviewed. Selectman Devault stated he thinks there should be an official person from the town as a liaison for the community outreach at Clinton Hospital. He would like to look into a board or committee to join and be part of help to the hospital in any way we can. It is awesome to have a hospital in town and he'd like to keep it. He would like to find a venue or avenue to work with them and be the contact or point person who they can contact. Chairman Kerrigan reviewed the last person to reach out was the former Hospital CEO Deborah Weymouth, he isn't sure who is in charge. Administrator Ward explained the Administration has moved to the Health Alliance campus in Leominster. That is where the president's office is located. Mr. Duffy does stay in touch with the hospital and the Community relations people. Phil is who they work with for outreach. Anything that happens at the hospital he explained he hears from the UMass Vice Chancellor of Government relations. Selectman Devault explained it is great there are existing contacts he has interest as a member of the Selectmen to join a group or boards, this hasn't been looked into and he plans to pursue. Selectman Devault explained if there is no opposition he will pursue and report back to the board. The board agreed.

COVID 19 Relief Funds

Chairman Kerrigan reviewed the town has received State and Federal Covid 19 relief funds. Selectman Devault stated he is aware in the short term this funding has provided

a lot of assistance over the last few years, there was a lot of funding available and some long term recovery basis funding. He would like to see a team put together to establish a strategic plan on how to spend the funds. Chairman Kerrigan explained Administrator Ward has reviewed what is out there for funding. Administrator Ward explained the town has an appropriation of ARPA funds which can be distributed, to close out in 2026. Half of funding to be spent now and half in one year, so the spending should be in 2024 & 2025. With a report generated in 2026, there are four major areas to spend in the public sector lost revenue, public health, premium pay for essential workers and water and sewer infrastructure needs. There is a lot of leeway on how to use it. There are Federal Guidelines on spending. There is also the state rescue act with funding allocated of \$100,000 to the Senior Center and \$100,000 for the Housing Authority to be used for sprinkler installation at the Presentation apartments. The funding can be used for housing, health care, infrastructure, economic & workforce development, there are numerous things. There is also the Federal Government Infrastructure Bill, money is distributed to the state to repair broad infrastructure like roads and bridges. Similar to the funding used for the Water Street project, some projects will have a funding match. It has been used for business marketing and PPE for community. He explained funding can be used for stipends to the essential workers, who worked through the pandemic. He reviewed he plans to attend a webinar and get more information and see if the projects the town has will match up to the Federal & State funds. Selectman Devault made a motion to establish a task force of Administrator Ward, Mr. Duffy, Town Counsel and himself to review spending of the relief funding. Selectman Boissoneau seconded the motion. Under discussion: Chairman Kerrigan reviewed the motion is to authorize Selectman Devault to work with the leadership team to create a task force to review the relief funding projects. The vote was unanimous.

Fiscal Year 2023 Budget Questions

Chairman Kerrigan explained he had spoken with the Finance Committee Chairman regarding joint hearings for the large department's budget presentations, for Police, Fire, Facilities, DPW, and Schools. Selectman Kobus asked for Dispatch to be included. Administrator Ward reviewed he had a discussion as well with the Finance Committee Chairman who explained it will be good to try and agreed to work out a schedule. Selectman Kobus asked about open warrant articles. Administrator Ward reviewed this is part of the budget process, the departments will give an update with the budget presentations on outstanding projects.

Streetlight Portal Update

Administrator Ward explained the issues have been rectified, the problem had carried over in the purchase of the company. There was no notification given to the customers about the company being sold. Once contacted all of the account information was

transferred and the old passwords are up and running to provide access. The system is good to go.

IT/Cybersecurity Discussion

Chairman Kerrigan reviewed this is a discussion Selectman Kobus asked for an update on. Selectman Kobus explained he knows primarily the IT on the town side is managed by Administrator Ward. There is a grant opportunity he was made aware of on the school side, which is a survey on the network regarding phishing. Administrator Ward explained he is aware of the state grant program and plans to apply on the town side. The intent was to collaborate together and it was deferred to the school to apply and get access through the state portal. All that is happening, the program will send out phishing e-mails and then provide an assessment. The focus is on training employees to be aware of trouble e-mails. The program is run by the state and all are invited in. The program will assess the employees that have linked to a bad e-mail and focus more training. There are firewalls and network protection, it is user focused to educate employees. This is a good program and the process is conducted four times annually it will help to avoid problems. Selectman Kobus continued discussion with the explanation of the evaluation subcommittee has put together a survey to assess the current infrastructure and contractor being used by the town. This survey will assist the committee with review of the current practices, hardware and software being used. It will see if the infrastructure is meeting the needs of the town, with a review of the network to bring it up to the 21st century, the purchasing processes, at this time the funding is allocated to departments for purchases, most companies have all the purchasing done at once. All of the photo copiers are on independent contracts. Selectman Devault explained the intent is for the Assistant Town Administrator to organize the survey results and look at the big picture, receiving feedback. Once we get the Assistant Town Administrator up and running and receive her feedback from the survey we can evaluate at that time. Selectman Kobus asked when that will be, we have the committee and it may be dissolved once the person is hired. Selectman Devault explained the Assistant Town Administrator will be hired before my term is up. Chairman Kerrigan explained the IT works, Administrator Ward agreed there is no need for staff oversight. We have a network administrator and are satisfied with their work. They have provided an assessment of work and the issue is budgeting. Over the last few years it has been woefully inadequate, it was \$10,000 and then raised to \$25,000 and now is at \$50,000. We are aware of the shortfalls and the staff knows the needs. A plan has been put together the funding is the piece missing. We have some computers that need upgrading prior to the MUNIS implementation and are planning to budget for them this year. He explained he is willing to accept ideas from the board but doesn't want someone from the outside to tell us what we need, we have a company we work with. There is new funding available in the federal funding hopefully this funding will be used. Selectman Kobus explained the survey is to gather feedback

from the users, are they satisfied. We also want to look into improvements, we have temporarily tabled the survey but intend to conduct it to gain feedback. Selectman Kobus explained the purchasing practices should be reviewed. At this time everything is purchased by departments and is in a silo form. The IT practices should be looked into and definitely the photocopiers contracts this all should be looked at into becoming more efficient. Administrator Ward explained there is a red light report that has been created by our current IT vendor, it highlights the deficient areas. Selectman Perusse asked if the report can be circulated, she agrees with Selectman Kobus. Administrator Ward reviewed knowledge is helpful and the survey is necessary. He will circulate the information he has from the current company but would like to keep confidential, for network security to prevent a breach. Selectman Perusse explained a summary of what you feel we need is a good idea to present for this budget. We can take a holistic approach. Administrator Ward explained the Fire & Police departments are specialized systems. Selectman Perusse asked if there are multiple vendors. Administrator Ward stated yes, there are different vendors for all of the departments including Library, Senior Center and Park & Recreation. Selectman Perusse explained that is the point. Selectman Kobus stated the photo copiers have different contracts and different services at the highest price points, we should try to leverage existing contracts, and this will help. Selectman Perusse agreed this should be leveraged at scale. Administrator Ward explained the photos copiers are on the state bid list contract pricing, there is no negotiations involved. Once the state numbers are set we just receive proposals from the vendors. Selectman Devault agreed no matter what we should start at the town hall, is everything adequate, we should review the report. He explained the survey will provide good data points and give us a plan on if we need to make an investment. Chairman Kerrigan asked does anyone think we have what we should have. Selectman Devault explained the people who use the system can give the feedback. Selectman Kobus explained an outside group can't make the decisions, the users will provide information, Windows 7 is unsupported and overall we need to know what's going on and what is needed. If the funding is needed we can budget it. Chairman Kerrigan explained we will move forward with the survey and the company report. Selectman Devault agreed the survey and shared evaluation report with possible improvements can be reviewed by the committee. He explained the survey is not complicated it is made up of 12/13 questions with a scale rating of 1 -5. Selectman Kobus agreed explaining the survey was created in survey monkey. The next steps should be the survey and review. Selectman Devault agreed, he instructed Town Administrator Ward to send the red light report to the board, and it can be reviewed over the next few months.

Assistant Town Administrator

Selectman Devault reviewed the last draft has been completed with all the latest updates from the HR manager, Personnel Board and legal. It was submitted to the Personnel Board and the Chair has the latest version, which a few things were changed, nothing drastic. She explained they will make a final review but it is ok to circulate by e-mail to board members for a response, just respond to me not everyone on e-mail. It is his understanding from the Personnel Board Chair that they will finalize the job description, and will begin reviewing the salary scale. She was 99% sure, they discussion will be finalized at the next meeting. Solicitor Gibbons explained the problem is the input from the Select Board members and a final vote is needed for the job description. For the final approval of the latest and final draft. Selectman Perusse agreed. Solicitor Gibbons explained the board needs to vote. Selectman Perusse agreed the changes are significant and the board should vote again, the last draft had been red lined harshly by the Personnel board. Solicitor Gibbons agreed explaining his office had red lined the draft as well. Chairman Kerrigan reviewed the last final draft had been approved. Selectman Devault agreed, the board voted. Selectman Kobus explained the changes have been approved by the board in version1 and version 2. Chairman Kerrigan agreed the review will continue until the next meeting. Selectman Devault explained that will slow down the process another 2 weeks. Chairman Kerrigan explained it has been slowed already. Selectman Kobus explained he takes exception to this, the Personnel by-law is for review and approval not to modify the job description. They have modified essential functions of the job, 22% has been changed 5 out of the 23 tasks have been eliminated. Nowhere in the by law does it say they have the authority to so this, to modify a job description. Selectman Kobus made a motion to have a legal opinion provided as to what is within the purview of the Personnel Board, they have removed what this board has voted unanimously to support and it is not ok. He explained he has reviewed the by-laws and sections 1 & 2 do not authorize changes to the job description. He wants a legal opinion from Town Counsel what is the legal purview of Personnel Board. Solicitor Gibbons explained this is not black & white, the whole thing including the job description, the Personnel Board has to make sure it fits in to the current operations and the current job descriptions. He reviewed he hasn't seen the changes but this is not as clear as you want it to be. Selectman Kobus stated the Personnel Board is to create the job classification, job description, details of the job or to deny the position is not part of that. They are to move on to the compensation review and not the essential functions that the board approved. There is one location within the by-laws that stated the Personnel Board approval is required, nothing says anything about approving specific functions. Selectman Devault agreed the process has been painful, the ways to seek approval need to be reviewed but he isn't willing to undertake this now, he wants to get the job description approved. This is a discussion to be opened after the job description is approved, the by-

laws need review and Town Counsel needs to review and make an interpretation on them. This can be done eventually and the not right now, it is unnecessary and agitation to the process at this time. He is confused by the board not being aware of the changes the Personnel Board made. Not sure why the board isn't aware of them, the last draft sent to the Personnel Board was the draft approved by the board. The original draft was created with the feedback from everyone including HR, this was sent to all the members and the Personnel Board. Chairman Kerrigan explained there were changes made by Lisa and sent out last night. Selectman Devault explained he did not see the changes. Selectman Perusse stated the changes were made and she was able to view, it was sent out yesterday. Solicitor Gibbons stated it was sent out but he hasn't seen it, the last copy he saw was 2 weeks ago when the legal changes were made. Selectman Kobus asked for the updated version to be sent out to everyone, and if there are changes send them to the Chair. Selectman Devault explained that version hasn't been viewed or approved by the board. The Personnel Board made additional updates and just sent them out yesterday. He explained he will send the latest version to the board. The Personnel Board made no major changes, it is the full intention of everyone to see the changes and overall save time versus wait another 2 weeks. Solicitor Gibbons explained that is fine at the next board meeting the board can vote to formally approve and it will be on record. He explained this is not the first time creating a new job, and all new job description. The mentality here is not us versus the Personnel Board, these things can be worked out. New job descriptions have been worked on for years, there have never been any issues before. Selectman Devault stated this has taken a lot longer. Solicitor Gibbons stated the board can meet later in the future at different meeting to discuss process. Selectman Devault explained the Personnel Board should have been engaged earlier. Chairman Kerrigan reviewed there is a motion on the floor to get a legal opinion on the actions of the Personnel Board. No second. Selectman Kobus made a motion to have legal provide a written interpretation of whether or not the Personnel Board should make any changes to a job description that is submitted to them. No second to this motion. Selectman Perusse asked to recap, next steps, the Chair of the Personnel Board submitted a version and indicated they reserve the right to make additional changes. Chairman Kerrigan stated Town Administrator Ward may have changes, we can make it as accurate as we can now, but there may be changes by nature of the job itself. The job description can circulate, and at the next meeting the board can take a formal vote of endorsement. Selectman Kobus asked when will the Personnel Board finalize and endorse. Chairman Kerrigan explained they have submitted this version for the boards review and endorsement.

Committee Reports

Strand Business Committee

Selectman Devault explained he has been working informally with the Strand Business owners, the Property owner, Community & Economic Development Director, Discover Clinton and Selectman Perusse joined in to informal discussion and committee meetings to assist the Strand in finding new owners. The informal committee was formed and has been researching resources to help a new owner stay in business, there has been some input from the previous owners and possibly another previous owner will join the discussions. It was a positive meeting and he is excited about the possibilities available for funding. There are a lot of cultural arts and COVID programs the Director of Community Development has highlighted. He has also has been able to track business models and provide insights. There is another meeting on the books to assist in any revitalization needed for this business. Chairman Kerrigan thanked Selectman Devault.

Chairman Kerrigan reviewed the next meeting is scheduled for February 16, 2022. He explained the board will enter into Executive Sessions and not return to an open meeting. At 8:30 PM the board entered Executive Session under Article 3 Collective Bargaining Prep. Roll Call Vote: Selectman Boisoneau “aye”, Selectman Devault “aye”, Selectman Perusse “aye”, Selectman Kobus” aye”, Chairman Kerrigan “aye”.

Executive Session Article3 Collective Bargaining Prep 8:30PM-9:00PM

Executive Session Article3 Landfill Project Property Access 9:00 PM – 9:20 PM

Selectman Devault made a motion to adjourn the meeting at 9:21 PM. Selectman Boisoneau seconded the motion. The vote was unanimous.

Meeting Adjourned,

Joyce A. Corbosiero

Executive Assistant to the Clinton Board of Selectmen/Town Administrator