



TOWN OF SHREWSBURY

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

Tuesday, August 8, 2023 - 7:00 PM

AGENDA

Present: Ms. Beth N. Casavant - Chair, Ms. Theresa H. Flynn - Vice Chair, Mr. John R. Samia - Clerk, Ms. Michelle K. Conlin - Member, Mr. Carlos A. Garcia - Member

Also Present: Mr. Kevin J. Mizikar - Town Manager, Mr. David Snowdon - Assistant Town Manager - Finance and Administration, Mr. Keith Baldinger - Assistant Town Manager - Operations, Justin Dobson - Assistant to Town Manager.

Ms. Casavant called the meeting to order at 7:00 PM.

All Board Members and Staff introduced themselves to the public for those watching at home.

Preliminaries:

1. Approve bills, payrolls, and warrants

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board voted unanimously to approve the bills, payrolls, and warrants.

2. Approve the minutes of July 25, 2023

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board voted 3-0 to approve the meeting minutes of July 25, 2023. Ms. Casavant and Ms. Conlin abstained from the vote because they were not present at the July 25, 2023 meeting.

3. Announcements/Reports

No announcements/reports for this evening.

4. Town Manager's Report

Mr. Mizikar reported that:

The State has provided an update to the Town that there are 82 families totaling 270 individuals at the emergency shelter in Shrewsbury. Of the 270 individuals, 60 are school-aged children. These figures are accurate as of two weeks ago and the State will provide updated numbers tomorrow.

The Police Station Building Committee will be hosting a formal dedication ceremony at the newly constructed police station on September 12, 2023 at 9:00am.

The Police Department will be hosting a public open house on the evening of September 21, 2023, including outdoor festivities coinciding with the food truck night at Town Hall.

The Town received a formal application from Spectrum/Charter Communications yesterday evening for a cable franchise agreement to begin operations within the community. The agreement is subject to the Federal Communications Commission (FCC) regulations and requires approval by the Select Board. Mr. Mizikar will work with Town Counsel and Town staff on this matter over the coming months and bring this information before the Board for its consideration.

5. Public Comment - Pursuant to Select Board Policy 31, To offer citizens the opportunity to provide public comments during Select Board Meetings on matters within the Board's authority.

There were no individuals that requested to provide comments.

Financial Business:

6. Fiscal Year 2023 Preliminary Local Receipts Year End Review

Mr. Snowdon provided a presentation on the preliminary review of Fiscal Year 2023 Local Receipts.

Mr. Snowdon defined local receipts and reported that for Fiscal Year 2023, the total local receipts are \$15,712,114, which is \$2,282,076 than the Fiscal Year 2022 actuals. Additionally, the Fiscal Year 2023 actuals exceeded the budgeted revenues by \$3,747,114. Mr. Snowdon provided a breakdown of the sources of local receipts, with the largest portion (42%) being derived from motor vehicle excise taxes.

Mr. Samia and Mr. Snowdon discussed the elevated revenue level from investment income in greater detail. Additionally, Mr. Samia inquired about revenue from licenses and permits, and whether larger projects are required to keep this revenue stable. Mr. Mizikar explained that permit fees are tied to the total value of construction, so as construction costs have inflated, this revenue source should remain at a consistent level.

Ms. Casavant inquired about the revenue from the ash landfill and how many more years the Town can expect revenue from this source. Mr. Snowdon explained that it is currently projected until 2028.

Meetings/Hearings:

7. 7:05PM Public Hearing with Al-Masa Group, LLC., d/b/a IHOP, 70 Boston Turnpike, regarding their application for a Common Victualler license.

The applicants introduced themselves and gave a brief overview of their proposed operations for the business.

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously voted to close the public hearing at 7:19pm.

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously voted to approve the application request for a common victualler license by Al-Masa Group, LLC., d/b/a IHOP.

New Business:

8. Review and act to assess and sign the estimated Street Betterment Liens for Fyrbeck Avenue and Cutler Street

Ms. Casavant summarized the agenda item.

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously voted to assess and sign the estimated Street Betterment Liens for Fyrbeck Avenue and Cutler Street.

9. Review and authorize payment for the FY2024 Massachusetts Municipal Association annual dues payment

Ms. Casavant summarized the agenda item.

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously voted to authorize the payment of the Fiscal Year 2024 Massachusetts Municipal Association annual dues.

10. Review and act on the amendments to Select Board Operational Policy #1 - Role of Board Members

Ms. Casavant summarized the agenda item, noting that policies from other communities were reviewed in preparing this proposed policy document.

Ms. Flynn commented on the role of the chair on the proposed policy document and whether some of those roles should be shared among other officers. Additionally, Ms. Flynn inquired about whether the document reflects current practices or new roles. Ms. Casavant and Mr. Garcia shared that the policy formally documents existing practices of the Board. Mr. Samia suggested that the Board should look at revising the Board's communication policy next.

Mr. Mizikar stressed the importance of the Board being able to develop meeting agendas in a manner that does not violate the Open Meeting Law. Further, the sitting Chair should give deference to any Board Member who requests to have an item added to the agenda since it is only way that the Board can discuss a topic.

Ms. Flynn suggested that this policy be monitored and if needed, revised in the future. On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously voted to approve the amended Policy #1 - Role of Board Members as written.

11. Review and act on the address change request from 566 - 572 Main Street to 566 Main Street pursuant to Select Board Operational Policy #29

Ms. Casavant summarized the agenda item. On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously voted to approve the address change request from 566 - 572 Main Street to 566 Main Street.

12. Review and discuss the Land Acknowledgement Statement

Ms. Casavant summarized the agenda item including the work of the Library Board of Trustees and the Diversity Equity Inclusion and Belonging Committee.

Mr. Samia noted that he would need to do additional research, and recommended that the Board directly consult with the Nipmuc Nation. Additionally, Mr. Samia noted that the Library Board of Trustees is an independent elected body and can move forward in making this statement at any time if they choose to do so. Ms. Flynn echoed the need to consult indigenous peoples in our community. Mr. Garcia commented on how he wants to know more about what is meaningful to the Nipmuc nation in addition to making the statement and that we approach the matter thoughtfully. Ms. Casavant noted that she wants to make sure that the Board doesn't make the a land acknowledgement statement just for the sake of having a land acknowledgement statement, and that conversation with the Nipmuc nation is the best next step in this process. Ms. Conlin noted that after these conversations, the item needs to appear before the Board for further action. Also, Ms. Conlin offered to contact the Nipmuc nation on behalf of the Board to initiate this dialogue.

- 13. Review and act on the one day beer and wine license application from Maria Rodriguez, El Sombrero Taqueria, 9 Trowbridge Lane, for the Shrewsbury Summer Festival at the Scandinavian Athletic Club, 438 Lake Street on August 13, 2023 from 3:00 PM to 7:00 PM**
Ms. Casavant summarized the agenda item.

On a motion by Ms. Flynn, seconded by Mr. Samia, the Board unanimously approved the one day beer and wine license application from Maria Rodriguez, El Sombrero Taqueria, upon the provision of an updated certificate of insurance that includes liquor liability coverage.

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

- 14. Email, dated August 1, 2023, from Seana Parker, Member of Tipping Point 01545, re: Tipping Point 01545 notes on Municipal CARP documents. - So noted.**
- 15. Email, dated July 31, 2023, from Kellie Pendergast, Goddard Consulting, LLC., re: Environmental Notification Form for 701 Boston Turnpike, Shrewsbury - Patrick Subaru. - So noted**
- 16. Email, dated August 1, 2023, from Mitesh Shah, re: Toblin Hill Neighborhood Letter - Toblin Hill Bridge - So noted**
- 17. Email, dated August 3, 2023 from Morgan Simko, Chief of Staff, Office of State Senator Michael O. Moore, re: H3906, an act authorizing the town of Shrewsbury to grant abatement of real estate taxes for the daughter of fallen firefighter Christopher Roy - So noted**

ZBA Decisions:

- 18. ZBA Decision of July 31, 2023 for Lake 20 LLC, for a variance for property located at 360 Hartford Turnpike - So noted**
- 19. ZBA Decision of July 31, 2023 for Patrick Collins, Shrewsbury Public Schools, for a variance for a property located at 557 Main Street - So noted**
- 20. ZBA Decision of July 31, 2023 for Dean Sokos, for a variance for a property located at 50 Brook Street - So noted**
- 21. ZBA Decision of July 31, 2023 for Castle Development, LLC., for a special permit for a property located at 5 Old Barn Road - So noted**
- 22. ZBA Decision of July 31, 2023 for Duncan MacRae, for variances for property located at 17 Merriam Avenue - So noted**
- 23. ZBA Decision of July 31, 2023 for Carlin Grenier, for a variance for a property located at 45 Roman Drive - So noted**

Respectfully submitted,

Justin K. Dobson

Referenced Materials:

- FY2023 Year End Preliminary Review

**TOWN OF SHREWSBURY
BOARD OF SELECTMEN BRIEF**

7 August 2023

**| FY 2023 Local Receipts |
Preliminary Year End Review**

Intro

This brief serves a preliminary review of Local Receipt revenue for Fiscal Year 2023 (FY23). Actual Revenues are as of 25 July 2023 and are subject to change.

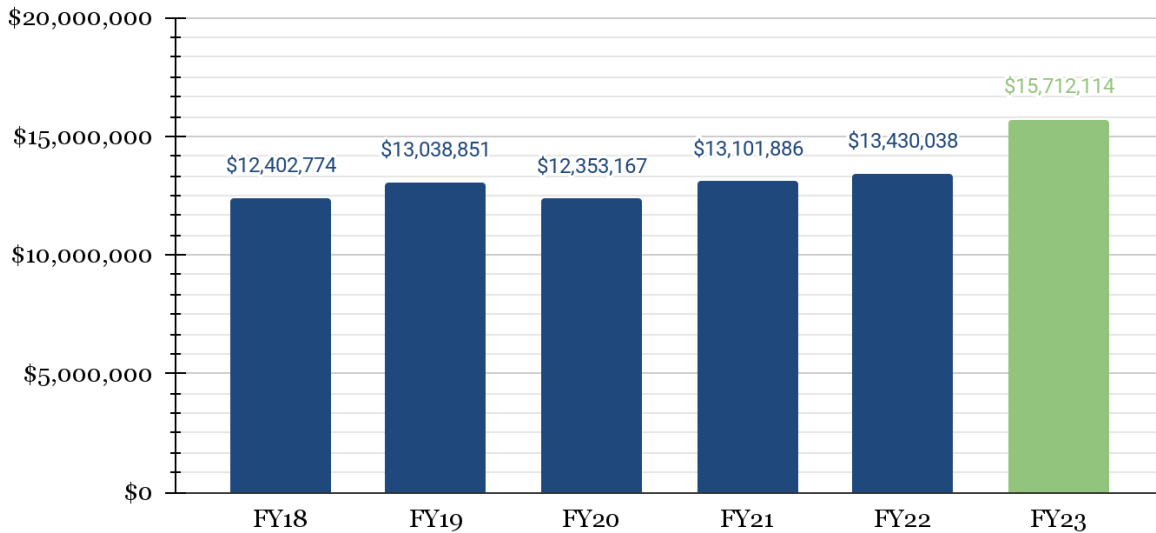
Background

Local receipts are locally generated revenues, other than real and personal property taxes. Examples include various excise taxes including motor vehicle excise, meals, hotel/motel and marijuana, investment income, permit and license fees, and charges. Annual estimates of local receipts are shown in the Tax Rate Recapitulation sheet of the Town’s annual budget. Projections of local revenues are often based on the previous years’ receipts and represent funding sources necessary to support the community's annual budget.

Narrative

Actual Local Receipts for FY23 amounted to \$15,712,114 which was \$2,282,076 or 16.99% greater than Fiscal Year 2022 actuals. Additionally, FY23 actuals exceeded the budgeted revenues by \$3,747,114 or 31.31% Finally, over the past five (5) years, Local Receipts have realized a Compounded Annual Growth Rate (CAGR) of 4.84%.

Local Receipts FY19 - FY23



The largest component of annual Local Receipts, approximately 42.3%, is derived from Motor Vehicle excise taxes. Other excise categories, including meals, hotel and cannabis excise tax comprise 8.60%. Landfill charges for services pertaining to Ash Disposal and Metals Recovery comprise approximately 9.00% of annual Local Receipts. Various Departmental Fees equate to 8.63% annually, and Licenses & Permits equate to approximately 8.44% annually. Investment income comprises approximately 13.42%.

**TOWN OF SHREWSBURY
BOARD OF SELECTMEN BRIEF**

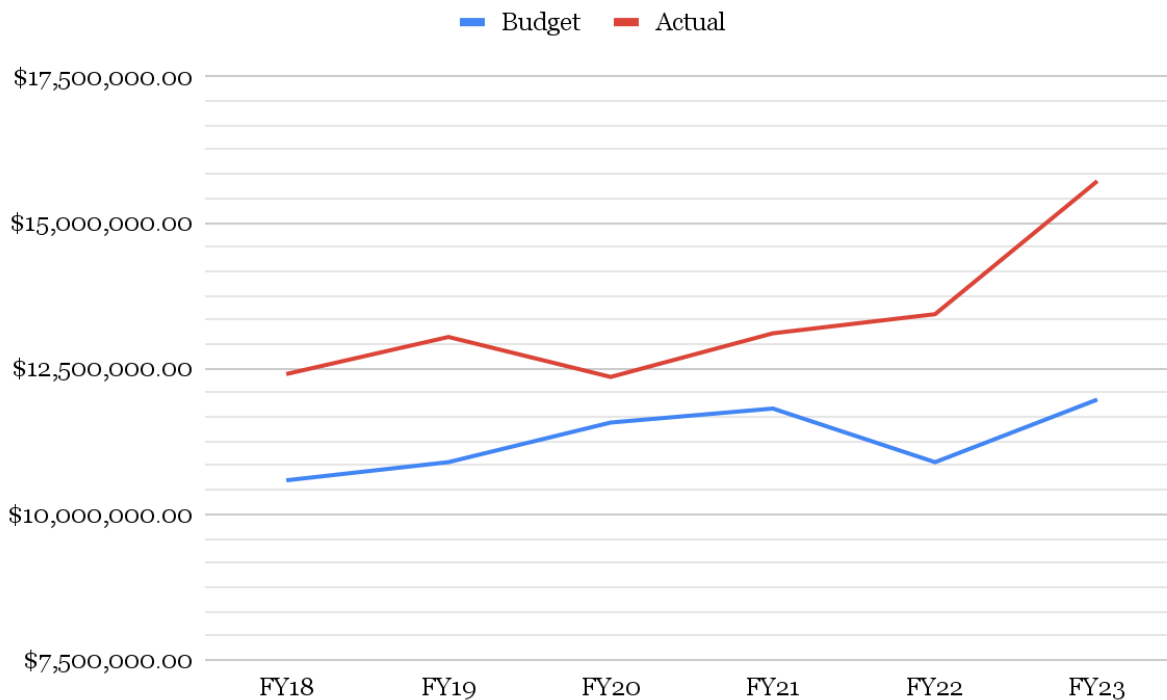
7 August 2023

The remaining 9.61% is comprised of a variety of other remaining local receipts. Full breakout of local receipts included at the end of this brief.

Category	Budget	Actual	Difference
Motor Vehicle Excise	\$6,550,000	\$6,647,757	\$97,756.98
Meals Excise Tax	\$500,000	\$719,879	\$219,879
Cannabis Related	\$515,000	\$518,054	\$3,054
Departmental Fees	\$590,000	\$1,356,875	\$766,875
Licenses & Permits	\$980,000	\$1,326,866	\$346,866
Trash/Landfill	\$1,465,000	\$1,425,231	-\$39,769
Other Receipts*	\$1,365,000	\$3,717,452	\$2,352,452
Total Schedule A Receipts	\$11,965,000	\$15,712,114	\$3,747,114

*Other Receipts include Hotel Excise Tax, Penalties & Interest and Investment Income Licenses and Permits.

The graph below provides a visual representation of the aggregate Local Receipts budget to actuals from the FY18 – FY23



Estimating Revenues

Over the past five (5) years, the average difference between local receipts budgeted versus actual is calculated at 21.1% with an average value of \$2,597,076. As we approach our reserve levels set forth in the Financial Policies, our goal is to set a local receipt revenue estimate that is closer to the actual revenues that will be raised. Given the continued higher revenue level from investment income, prior to the release of the revenue manual this fall we will work closely with Bartholomew & Company, Inc., to develop a

**TOWN OF SHREWSBURY
BOARD OF SELECTMEN BRIEF**

7 August 2023

more accurate estimate for this receipt area. This will enable the Town to realize the full benefit of this funding source.

Fiscal Year 2023 - Local Receipts Breakout

	FY 23 BUDGETED	FY 23 Actuals	Variance
		As of 25 July 23	
1. Motor Vehicle Excise	\$6,550,000.00	\$6,647,756.98	\$97,756.988
2. Other Excise (Hotel)	\$110,000.00	\$113,984.92	\$3,984.92
2. Other Excise (Meals Tax)	\$500,000.00	\$719,879.32	\$219,879.32
2. Other Excise (Cannabis)	\$350,000.00	\$220,130.69	-\$129,869.31
3. Penalties & Interest	\$275,000.00	\$450,706.74	\$175,706.74
4. PILOT	\$45,000.00	\$47,258.98	\$2,258.98
5. Charges for Services- Water	\$0.00	\$0.00	\$0.00
8. Other Charges - Trash/Landfill	\$1,465,000.00	\$1,425,231.14	-\$39,768.86
9A Cannabis Impact (Host Comm. Agrmt.)	\$165,000.00	\$297,922.82	\$132,922.82
10. Fees	\$150,000.00	\$142,510.00	-\$7,490.00
11. Rentals	\$0.00	\$6,432.00	\$6,432.00
12. Depart Rev - Schools	\$20,000.00	\$654.82	-\$19,345.18
13. Depart Rev - Library	\$0.00	\$0.00	\$0.00
14. Depart Rev - Cemeteries	\$40,000.00	\$47,125.00	\$7,125.00
16. Other Depart Revenue	\$250,000.00	\$591,785.95	\$341,785.95
17. Licenses and Permits	\$980,000.00	\$1,326,865.50	\$346,865.50
18. Special Assessments	\$25,000.00	\$13,324.68	-\$11,675.32
19. Fines and Forfeits	\$100,000.00	\$143,066.54	\$43,066.54
20. Investment Income	\$675,000.00	\$2,783,905.66	\$2,108,905.66
21. Misc - Recurring (Medicaid)	\$30,000.00	\$431,733.15	\$401,733.15
22. Misc - Recurring (Supp Tax)	\$62,000.00	\$127,753.52	\$65,753.52
22. Misc - Homeless Transportation	\$17,000.00	\$0.00	-\$17,000.00
23. Misc - Non Recurring	\$0.00	\$0.00	\$0.00
23. Misc - Non Recurring (Gas&Oil)	\$65,000.00	\$45,607.45	-\$19,392.55
23. Misc - Non Recurring (E-Rate)	\$6346,000.00	\$62,450.04	\$16,540.046
23. Misc - Non Recurring (Impact Aid)	\$0.00	\$13,178.00	\$13,178.00
24. Misc - Recurring - SELCO SOLAR	\$45,000.00	\$52,849.88	\$7,849.88
Totals	\$11,965,000.00	\$15,712,113.78	\$3,747,113.78

Officers of the Board

It is recognized that the Select Board can only take official action through the majority vote of the entire body. However, as the primary elected municipal body, the Select Board represents the Town and interacts with residents and others in informal settings. Further, the Board needs a way to manage and organize itself in order to be effective. Therefore, the following policy shall govern how the Board will operate outside of the formal decision making process.

A. Chair

The Chair is chosen to serve a term of one year by a vote of Select Board members at the first meeting following the annual municipal election. The responsibilities of the Chair include:

- Prepare the agenda for all Select Board meetings and workshops with the Town Manager
- Call special meetings of the Board in accordance with Open Meeting Law
- Preside over all meetings of the Board, maintain order in the meeting room, recognize speakers, call for votes and moderate the complete discussion of agenda items
- In accordance with the actions of the Board, sign official documents as required by law
- In accordance with Board policies respond to email and written communication directed to the full Board
- Coordinate the representation of the Board at meetings, conferences and other events and gatherings unless otherwise determined by the Board
- Serve as spokesperson of the Board at Town meetings and present the Board's position unless otherwise determined by the Board
- Make liaison assignments and assign responsibilities for special projects and tasks to Board members unless otherwise determined by the Board
- Ensure that the Board maintains a legal and open level of communications and that information is equally distributed to all members of the Board
- Lead the Board in conducting an annual evaluation of the Town Manager
- Write the annual report detailing the work of the Select Board
- Arrange orientation and mentorship opportunities for new members

The Chair shall have the same rights as other members to offer motions and resolutions, to discuss questions, express opinions and to vote.

B. Vice-Chair

The Vice-Chair is chosen to serve a term of one year by a vote of Select Board members at the first meeting following the May municipal election.

The Vice-Chair is responsible for serving as Chair in the Chair's absence or incapacitation. Should the Chair resign, the Vice-Chair automatically succeeds the

Chair. Should the Chair no longer be able to fulfill their duties, or there be a vacancy, then the Vice-Chair succeeds the Chair.

** If the Chair and Vice-Chair are unable to perform their duties, the senior member of the board present at the time shall perform said duties.*

C. Clerk

The Clerk is chosen to serve a term of one year by a vote of Select Board members at the first meeting following the annual municipal election.

The Clerk of the Board shall sign all documents as required by law and keep minutes at meetings of the Board where no staff member is present to do so.



TOWN OF SHREWSBURY

July 10, 2023

To: The Shrewsbury Select Board

From: The Diversity, Equity, Inclusion and Belonging Committee

Dear Members of the Select Board,

The members of the newly formed Diversity, Equity, Inclusion and Belonging Committee were approached earlier this year with a request from the Shrewsbury Library Committee to consider a land acknowledgement statement.

Deborah Lebeaux of the Shrewsbury Public Library Board of Trustees and Library Director Priya Rathnam spoke to us about the development and hopes of the Land Acknowledgement statement and their desires for this to be shared as a town-wide initiative.

The Shrewsbury Public Library Land Acknowledgment (adapted from Holy Cross/Framingham State University) is stated as follows:

The Shrewsbury Public Library acknowledges that the land we live, work, learn, and commune on belongs to the original homelands of the Nipmuc tribal nations. We acknowledge the history of genocide, slavery, and forced removal from this land and the resulting harmful impacts on Native peoples, both past and present. We wish to honor and pay respect to the Nipmuc and other neighboring Indigenous peoples and the ongoing connection they have with the land on which we gather.



Image Credit: NipmucNation.org

In our conversations with the Library Trustees and with representatives of the Nipmuc Tribe we recommend town-wide adoption of the land acknowledgment statement as well as the following recommendations on how the town might engage the implementation of the statement:

- Encourage and empower communication across stakeholders (library, school, community groups) to advertise awareness of indigenous peoples programming being offered regionally.
- Put information on the Nipmuc People at trailheads / parks within the community.
- Encourage development of school programming appropriate to each grade level related to indigenous people, particularly local tribes. Creating opportunities for educators to gain further information about local tribes.
- Create fliers with information on the land acknowledgment statement available in public locations, QR codes utilized to keep info up to date and connect to a current website. We would recommend self-guided reflection questions as part of the document. The hope for the questions would be for greater introspection and self-reflected action. (The DEIB Committee is considering ways to create and publicize a website for this and other diversity purposes).
- Highlight Nipmuc and other indigenous art in temporary and permanent public spaces
- Read the land acknowledgment statement at certain public meetings
- Include reference to the land acknowledgement setting in appropriate public documents

Finally, we recommend continued conversation with the Nipmuc people. The process should take the time it needs to be correct with strong relationships and participation. Of particular note is a planned celebration by the Nipmuc Nation on the banks of the Quinsigamond on Indigenous Peoples Day in October of 2023 featuring a traditional Nipmuc Mishoon.

Respectfully Submitted,

The Shrewsbury DEIB Committee