



TOWN OF SHREWSBURY

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

Tuesday, September 13, 2022 - 7:00 PM

Minutes

Present: Mr. Maurice DePalo, Chair, Ms. Beth Casavant, Vice Chair, Ms. Theresa Flynn, Clerk, Mr. John Samia, Selectman, Ms. Michelle Conlin, Selectman

Also Present: Mr. Kevin Mizikar, Town Manager, Ms. Taylor Galusha, Principal Department Assistant (Board of Selectman and Town Manager)

Mr. DePalo called the meeting to order at 7:00 PM.

Preliminaries:

1. Approve bills, payrolls, and warrants

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to approve bills, payrolls, and warrants 2307, 2318, 2318ME, 2320, and 2322.

2. Review and act to approve the minutes of August 8, 2022, August 9, 2022, August 18, 2022, and August 23, 2022

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to approve the meeting minutes of August 8, 2022, August 9, 2022, August 18, 2022, and August 23, 2022.

3. Announcements/Reports

Mr. DePalo announced that The Board of Selectmen are currently seeking to fill vacancies on three committees: 7 Open Seats on the Newly formed Diversity, Equity, Inclusion, and Belonging Committee, 1 vacancy on the Shrewsbury Cultural Council, and 1 vacancy on Historic District Commission. More information on these vacancies can be found on the Town website at Shrewsburyma.gov under the Board of Selectmen's News and Announcements section. Applications for all vacancies are due by 4:30 PM on September 20, 2022.

He also announced that the Spirit of Shrewsbury Fall Festival will take place on Saturday, September 24th at Oak Middle School and a parade will be held on Sunday, September 25th at 1PM beginning at the Old Beal School and ending at Oak Middle School. Visit SpiritofShrewsbury.org for more information on the program.

4. Town Manager's Report

Mr. Mizikar wanted to remind residents that we are in our final phase of the strategic plan community feedback. A postcard was sent to heads of households and a paper survey is being sent out in the coming days with paid postage return envelope. Residents can also participate online at GetInvolvedShrewsbury.com at any point before October 11, 2022.

Mr. Mizikar also wanted to congratulate Chief Anderson, Police Chief, Keith Balidinger, Assistant Director of the Department of Public Works, and the students from Assabet Valley Regional Technical High School for their hard work and appearance on Fox and Friends on the Fox News Channel regarding the 9/11 statue that the students constructed for the new Police Station.

Mr. Mizikar also noted that the Town's AAA bond rating has been reinforced by Standard and Poors - this is the highest rating possible and puts the Town in higher standing than the federal government and good standing for any remaining borrowings for the New Police Station and future projects.

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

There were no individuals present for the public comment period.

Meetings/Hearings:

6. 7:10pm: Public Hearing with Neuber Rossi on behalf of Shrewsbury Street Restaurant, LLC, d/b/a Terra Brasilis, 50 Boston Turnpike, for a Section 12 All Alcohol Pouring License, Hours of Operation Monday through Saturday, 8:00am - 2:00am, Sunday 10:00am - 2:00am

Mr. Rossi and his attorney were present. Mr. DePalo noted that they came before the Board earlier this summer for a Common Victualler License.

The Public Hearing was opened at 7:10 PM.

Terra Brasilis has been in business since 2001 with four locations currently. The Shrewsbury location will employ 20-25 individuals. Mr. Rossi has been in the hospitality business since he was 16 years old and has worked his way up to general manager of this business.

Mr. Rossi noted they have a few more inspections coming up before they can open officially.

The Public Hearing was closed at 7:14 PM

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to approve the request for Shrewsbury Street Restaurant, LLC, d/b/a Terra Brasilis, 50 Boston Turnpike, for a Section 12 All Alcohol Pouring License, Hours of Operation Monday through Saturday, 8:00am - 2:00am, Sunday 10:00am - 2:00am

7. 7:15pm: Public Hearing with Romas Juozelskis on behalf of Lithuanian Charitable Society, d/b/a Maironis Park, 52 S. Quinsigamond Avenue, regarding an application for an Alteration of Premises and Change of Manager to its All Alcohol Club License

The Public Hearing was opened at 7:16 PM

Romas Juozelskis and Francis A. Glodas, the proposed manager for Maironis Park, was present. They withdrew the alteration of premises amendment request.

The Public Hearing was closed at 7:17 PM

They are also seeking a Change of Manager for their all alcohol club license and the vice president, Francis A. Glodas, will be taking over as Manager if approved.

On a motion by Ms. Casavant seconded by Ms. Flynn, the Board unanimously voted to approve the change of Manager for Romas Juozelskis on behalf of Lithuanian Charitable Society, d/b/a Maironis Park, 52 S. Quinsigamond Avenue to its All Alcohol Club License.

New Business:

8. Review the draft warrant for the October 17, 2022 Special Town Meeting

Mr. Mizikar summarized the draft warrant. There are 10 articles on the warrant. More details can be found in the referenced materials section in the document titled “2022 Special Town Meeting Warrant Summary Sheet.”

9. Review and act to authorize the Chair to send a joint letter with the Shrewsbury School Committee to the Assabet Valley Regional Technical High School School Committee regarding the Town’s potential interest in joining the regional district

Mr. Samia and Ms. Casavant summarized the request. Mr. Samia noted the discussion at Town Meeting regarding the amount of students able to attend Assabet Valley Technical School because of the change in the State Law. The School Department and Committee have met with the State Delegation and DESE on this matter. They have requested from Assabet Valley to allow us to get on an agenda to allow for Shrewsbury to be admitted into the district in the future. Ms. Casavant noted that this is the first step - need to know if they would even consider letting Shrewsbury join their district.

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to authorize the Chair to send a joint letter with the Shrewsbury School Committee to the Assabet Valley Regional Technical High School School Committee regarding the Town’s potential interest in joining the regional district.

10. Review and act on the request from Justin Krebs, KIG Silverstrand Walpole, LLC, to negotiate a Local Initiative Program (LIP) agreement for 104 Main Street

Mr. Mizikar summarized the agenda item. He noted that KIG Silverstrand Walpole, LLC are formally requesting to go into the friendly 40b process utilizing a local initiative program application jointly submitted by the Board and the developer. Mr. Samia noted that he would recommend the LIP application is done in tandem with the development agreement.

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to authorize the town manager to negotiate a LIP agreement with KIG Silverstrand Walpole, LLC for property located at 104 Main Street.

11. Review and act on the One Day All Alcohol License Application of Denise Higgins, St. John’s High School, 378 Main Street for a Reunion on Saturday, September, 24, 2022 from 6:00pm - 10:00pm

Mr. DePalo summarized the agenda item.

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to approve the One Day All Alcohol License Application of Denise Higgins, St. John’s High School, 378 Main Street for a Reunion on Saturday, September, 24, 2022 from 6:00pm - 10:00pm.

12. Review and act on the Proclamation Request from Valerie Clemmey, Communications Coordinator - SELCO, for Energy Efficiency Day pursuant to Board of Selectmen Policy 30

Mr. DePalo summarized the agenda item.

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to approve the Proclamation Request from Valerie Clemmey, Communications Coordinator - SELCO, for Energy Efficiency Day pursuant to Board of Selectmen Policy 30.

13. Review and act on the Proclamation Request from Steven Firestein, Volunteer Director - Kids Cancer Connection for Childhood Cancer Awareness Month pursuant to Board of Selectmen Policy 30

Mr. DePalo summarized the agenda item.

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to approve the Proclamation Request from Steven Firestein, Volunteer Director - Kids Cancer Connection for Childhood Cancer Awareness Month pursuant to Board of Selectmen Policy 30.

14. Review and act to appoint one member to the Affordable Housing Trust for a two year term to expire on June 30, 2024:

- a. **Louise Garone**
- b. **Martha Gannon**
- c. **Roberta Goldman**
- d. **Sanam Zaer**

Mr. DePalo summarized the agenda item.

Mr. Samia thanked the applicants for applying and noted they all have excellent credentials and it was a very tough choice and thanked them for being active in their community. Mr. Samia nominated Martha Gannon. Ms. Casavant seconded the nomination.

Ms. Flynn noted she agreed with Mr. Samia and agreed that all four applicants were great. Ms. Flynn nominated Sanam Zaer. Ms. Casavant seconded the nomination.

Mr. DePalo asked for motion to appoint.

On a motion by Mr. Samia, seconded by Ms. Casavant, the Board voted 4-1 to appoint Martha Gannon to the Affordable Housing Trust for a two year term to expire on June 30, 2024.

On a motion by Ms. Flynn, seconded by Ms. Casavant, the Board voted 1-4 to appoint Sanam Zaer to the Affordable Housing Trust for a two year term to expire on June 30, 2024.

Martha Gannon was appointed to the Affordable Housing Trust for a two year term to expire on June 30, 2024.

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

15. Email, dated August 25, 2022, from Sandra A. Weed. Shrewsbury Cultural Council, re: Cultural Council
- So Noted

16. Email, dated August 27, 2022, from George Woodruff, 5122 Avalon Way, re: American Religious Artwork
- So Noted

17. Email, dated August 28, 2022, from Robert Holland, Shrewsbury Scholarship Committee, re: Town of Shrewsbury Scholarship - Junyang Lu - So Noted

18. Letter, received August 29, 2022, from Nancy Burnett, Historic District Commission, re: Resignation - So Noted

19. **Email, dated August 30, 2022, from Mohammed Nihlawi, 5 Brookdale Circle, re: Fwd: Playground renovations - So Noted - refer this request to the Parks and Recreation Department.**
20. **Email, dated September 6, 2022, from Nephtalie Faustin, Barefoot Half Marathon, re: Thank you note - So Noted**
21. **Letter, received September 6, 2022, from Geosyntec Consultants, re: Notification of Phase I Site Investigation Completion and Tier Classification 115 Northeast Cutoff, Worcester, MA - So Noted**
22. **Email, dated September 7, 2022, from Dr. Noor Ali, Principal Al Hamra Academy, re: Thank you! - So Noted**
23. **Letter, received September 8, 2022, from Shonda D. Green, Department of Telecommunications and Cable Secretary, re: License Expiration Notice - So Noted**
24. **Email, dated September 8, 2022, from Chief James Vuona, Fire Chief, re: 9-11 Remembrance - So Noted**

ZBA Decisions

25. **ZBA Decision for Julianne Mecca for special permit for property located at 26 Old Mill Road - So Noted**

Adjourn

On a motion by Ms. Casavant, seconded by Ms. Flynn, the Board unanimously voted to adjourn at 7:40 PM

Respectfully Submitted,



Taylor M. Galusha

Referenced Materials:

- 2022 Special Town Meeting Warrant Summary Sheet
- Energy Efficiency Day Proclamation
- Childhood Cancer Awareness Month Proclamation

| SUMMARY: 16 TOTAL ARTICLES | | | |
|-----------------------------------|---|-------------------|--|
| Article No. | Article Title/Subject | Category | Description |
| 1 | Amend General Bylaws - Article 14 - Animal Control | General Bylaw | Article 14 (Dog Control Law) of the General Bylaws have not been updated since 1985, and certain sections are not out of date and do not align with state law. The proposed amendments include adoption of MGL Chapter 140 Sections 136A through 174F into Article 14 to allow the Animal Control Officer to enforce state laws regarding domestic animals. Additionally, this amendment proposes to change the 10-day holding period in Section 5: Disposition of Unclaimed Dogs to a 7- day holding period. This will align Shrewsbury with state law and reduce unnecessary kenneling fees. |
| 2 | Amend General Bylaws - Article 10 - Increase Handicap Fines | General Bylaw | Amend Article 10 of the General Bylaws to increase the fine specified in Section D from \$100 to \$300 for handicap parking violations. \$100 will continue to go towards local receipts, with the remaining \$200 being allocated to the 22(g) Parking Fund. |
| 3 | Amend General Bylaws - Article 28 - Tree Bylaw | General Bylaw | This is a corrective amendment to the Tree Bylaw to set the limit on fines to \$300 for each offense to be in accordance with MGL c. 40, section 21. The law limits the fines for violation of municipal bylaws at \$300 for each offense. |
| 4 | Adjust Fiscal Year 2023 Budget | Financial | Adjust FY23 budget: 1. Raise and appropriate \$166,000 to increase the finance committee reserve fund to handle inflationary pressures if needed and 2. manage various departmental budget transfers |
| 5 | Fund General Stabilization | Financial | Raise and Appropriate \$174,784 from taxation to the General Stabilization Fund |
| 6 | Fund Public Safety Needs (Firefighter Physicals and Unified Dispatch) | Financial | Raise and Appropriate \$7,100 from taxation for additional funds needed to cover Firefighter physicals and \$33,500 for Unified Dispatch Consultant |
| 7 | Fund Public Buildings Needs - Floral HVAC - SEE DESCRIPTION | Financial | Raise and Appropriate \$185,000 from taxation needed per bid results over the \$150,000 originally funded in the Capital Improvement Plan |
| 8 | Fund Addressing System Needs | Financial | Raise and Appropriate \$100,000 from taxation for the development of a Master Addressing Table along with parameters for future address assignment, utilizing a consulting firm to assist with identification of problem areas in the current process in Shrewsbury as well as recommendations for new processes to be implemented to create a system that works for all departments, specifically Assessing, Building, DPW, Clerk, and Selco. |
| 9 | Fund Cemetery Expansion Design | Financial | Raise and Appropriate \$200,000 from taxation for the design, permitting, site survey, bid documents, and related work for the expansion of the cemetery and small parking area on the parcel of land at 65 Prospect Street |
| 10 | Hold for Citizens Petition 9/20/2022 Deadline | Citizens Petition | Hold for Potential Citizens Petition |
| 11 | Hold for Citizens Petition 9/20/2022 Deadline | Citizens Petition | <i>Hold for Potential Citizens Petition</i> |
| 12 | Acquisition of Olde Colony Property by Gift | Land | The current property owner has offered the Town this +/- 3.5 acre lot. Recommend it be designated as open space or conservation land. |

PROCLAMATION: ENERGY EFFICIENCY DAY

WHEREAS, energy efficiency is the cheapest, quickest, and cleanest way to meet Shrewsbury's energy needs, avoid dangerous pollution, and reduce utility bills for residents and businesses in our community; and

WHEREAS, implementing energy efficiency and other clean energy policies and programs can help boost economic opportunities and job creation while continuing to move Shrewsbury toward a sustainable future; and

WHEREAS, smarter energy use reduces the amount of electricity needed to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air, and warm our climate; and

WHEREAS, for towns, cities and states like ours that are trying to tackle harmful pollution, energy efficiency can get us about halfway toward our emissions reduction goals; and

WHEREAS, energy efficiency makes our homes and workspaces healthier, safer, and more comfortable; and

WHEREAS, cutting energy waste saves U.S. households billions of dollars on their utility bills every year, up to \$500 per household from appliance efficiency standards alone; and

WHEREAS, improved energy codes for homes and commercial buildings also can significantly reduce utility costs and create new jobs, and Shrewsbury supports increasing the minimum levels of efficiency for new buildings through adoption of a stricter code or the model 2021 International Energy Conservation Code (IECC); and

WHEREAS, the residents of Shrewsbury can continue to contribute to our energy efficiency efforts by learning about and participating in our programs on NextZero.Org/SELCO,

WHEREAS, a nationwide network of energy efficiency groups and partners has designated the first Wednesday in October as national annual Energy Efficiency Day; and

WHEREAS, together we can continue to contribute to our sustainability efforts by learning more about energy efficiency and practicing smarter energy use in our daily lives;

THEREFORE I, The Board of Selectmen do hereby proclaim ***the first Wednesday in October, October 5, 2022*** as "**ENERGY EFFICIENCY DAY**" in Shrewsbury, Massachusetts and urge citizens to join us in supporting our clean energy goals and moving toward more energy efficiency now and in the future. Together the citizens of the Town of Shrewsbury can continue to contribute to our sustainability efforts by learning more about energy efficiency and practicing smarter energy use in their daily lives; In testimony thereof, we have signed our names officially and caused the seal of the Town of Shrewsbury to be affixed this thirteenth day of September in the year of two thousand twenty-two.

PROCLAMATION: Childhood Cancer Awareness Month

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in more than 16,000 of our country's young people every year. An estimated 400,000 children and adolescents are diagnosed with cancer globally each year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded nearly thirty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc., Kids Cancer Connection, Inc. and Lions Clubs International are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at UMass Memorial Children's Medical Center in Worcester, Boston Children's Hospital, Tufts Children's Hospital, Shriners Children's Boston, Dana Farber Children's Cancer Center, MassGeneral Hospital for Children, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor toy distributions, Laughternoon - Laughter is Healing, positive appearance programs, pet-assisted therapy, KCC Supercar Experience, educational programs and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

THEREFORE I, The Board of Selectmen do hereby proclaim *the month of September 2022* **"CHILDHOOD CANCER AWARENESS MONTH"** in Shrewsbury, Massachusetts; In testimony thereof, we have signed our names officially and caused the seal of the Town of Shrewsbury to be affixed this thirteenth day of September in the year of two thousand twenty-two.