

**Select Board Meeting Minutes
March 1, 2023**

Present: Mr. Michael Trowbridge, Chair; Mr. Frank DelVecchio, Vice-Chair; Neil Rhein, Clerk; Mr. Jess Aptowitz and Ms. Diana Bren were present in Meeting Room 3 A/B at Town Hall. Kevin Dumas, Town Manager and Mr. Barry LaCasse were also present.

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TOWN CLERKS OFFICE

1. Call To Order Select Board Meeting - Pledge of Allegiance

Mr. Michael Trowbridge, Chair called the meeting to order at 5:30PM. He asked those present to state the pledge of allegiance. He then reminded everyone that the meeting was being broadcast live and taped for future broadcast on Mansfield Cable.

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MANSFIELD
MASSACHUSETTS

2. Town Manager's Report

Select Board Questions and Comments on Town Manager's Report

Mr. Dumas began his report by stating that COVID numbers are low in Mansfield as well as in the surrounding communities. Mr. Dumas shared two staff announcements, the first is Sarah Raposa who will be the Planning Director and second is the Chief Assessor Kelly Koska. Mr. Dumas then had two grant announcements one is for radios for the fire department which will benefit all of the Towns that are part of SEMRECC and then the police department received a grant for two radar speed signs. Mr. Dumas stated that he is working closely with the Xfinity Center and they will be attending the March 15th Select Board meeting for their license renewal. Mr. Dumas also noted that he is working with MassDOT to potentially have an access point from Route 495 into the Xfinity Center venue instead of South Main Street. Mr. Dumas then stated that he attended the Planning Board meeting last week for the site approval for Mansfield Crossing with adding Fresh Market to the plaza they have made proper modifications at the second entrance closest to where Fresh Market will be located to help alleviate traffic.

Mr. Chris McDermott then came forward to provide an Economic Development update. He stated that the fourth public workshop for the TOD district was last night and it went well and focused on integrating feedback from the public into a potential bylaw. He also stated that he had a meeting with MBTA in regards to what they would need for a potential rail line crossing and he anticipates there will be several more meetings as the design of the new roadway is developed. He then stated that he has a few site tours with Tighe and Bond a civil engineer firm to show them some key properties in the Cabot Industrial Park.

Mr. Dumas then stated that there is a public hearing on Thursday, March 3rd from MassDOT to inform the public of the current plans for the Route 140 intersection at Route 106 and their plans for Route 106 at Copeland/Chauncy. He then stated that the Annual Town Meeting Warrant closed today. He also wanted to reiterate that the while the Town Charter says that we must have Town Meeting before June 1st. However, there is a chapter in Massachusetts General Law that allows the Select Board vote to have it up to and including June 30th and the hope is to have it on June 14th or June 15th.

Mr. LaCasse then provided a budget update. He stated that at the consensus meeting on February 8th the budget was at a \$2.9 million shortfall. Since that meeting he and Mr. Dumas have made some further reductions along with having additional meetings with the Schools administration to get to a \$1.8 million shortfall. The first item is to defer the \$400,000 OPEB liability to fall Town Meeting, changed the new growth assumption from \$600,000 to \$800,000, increased the new host community agreement receipt from \$0 to \$100,000, free cash infusion to offset temporary spike in the electric costs, health care stabilization to offset the increase in insurance premiums from \$144,000 to \$500,000 and infused \$100,000 from the Opioid Stabilization fund to supplement the Police Departments budget for the services they provide which falls in line with the guidelines of the opioid settlement. He stated that they are expecting to be fully balanced by the end of March for the Budget Sub meeting on March 22nd and the March 29th consensus meeting.

Mr. Dumas then finished his report thanking the Congressman again for the \$2 million award for the Dustin Prescott well project. Lastly, he stated that the North Main Street Fire Station is expected to have a closing in the next few weeks. The Town's consultant has filed the permeant solutions with conditions statement with DEP and EPA.

Mr. Aptowitz asked if there were any potential large projects that would increase the building permit fees to help the budget. Mr. LaCasse responded that there were not any on the horizon that they saw in building. Mr. Aptowitz then asked about the grant for radios and if they were compliant and if DPW, Fire and Police could all communicate with one another. Mr. Dumas responded that they will all be on the same system. Mr. Rhein asked what traffic is changing as it pertains to Fresh Market. Mr. Dumas explained the exit near Fresh Market will have a second turn lane into the plaza from West Mansfield and that traffic out of that exit will be a right turn only. Mr. Trowbridge asked for a night for the Select Board to meet in April or May for just the budget discussion so that residents can come and ask questions. Mr. Dumas proposed May 3rd for it.

3. Resident Questions and Comments

There were no resident questions or comments.

4. Discussion of Dangerous Dog Complaint and Consideration to Set a Public Hearing Date

Mr. Trowbridge stated that there is a dog complaint and the Board needs to set a public hearing date. Mr. Rhein asked if it was the collar that broke and Mr. Dumas confirmed it was. Mr. Aptowitz stated that the Board should review the leash law and maybe the bylaw needs to change. Mr. Dumas also asked Ms. Champagne to explain what she discussed with the Animal Control Officer Jeff Collins. Ms. Champagne stated that the owner has purchased a two-collar leash so if one breaks there is a second collar and Officer Collins also believes that this is a nuisance animal as it did not break skin when it bit.

Motion: To temporarily order that the dog owned by Patricia Olen of 890 East Street be restrained on a 3-foot lead by a person capable of restraining the animal when outside of the home and schedule the public hearing for April 5, 2023 at 6PM. (Rhein/Aptowitz) **Passes 5:0**

5. Public Hearing at 6:00PM on the application of Mansfield Restaurant LLC. dba Flynn's Irish Pub, for a Transfer of an All Alcoholic Beverages on Premises Restaurant License from Flynn's Restaurant Group dba Flynn's Irish Pub located at 219-221 North Main Street

Motion: To open the public hearing. (Rhein/DelVecchio) **Passes 5:0**

Attorney Beau Akers from Brainsky Levinson, LLC was present with the applicant Matthew McCreavy owner of Mansfield Restaurant LLC who is purchasing the business from Flynn's Restaurant Group. Mr. Akers stated that the operation of the business will remain the same and the manager of the alcohol license is Colin McCreavy and he currently is the manager of record for the current owners. Mr. Aptowitz asked if there have been an issues and Mr. Colin McCreavy responded that there have not been in his time working there. Mr. Trowbridge noted that if he leaves he must notify the Town because his name is on the license. Mr. Rhein asked if they had considered outdoor dining and Mr. Colin McCreavy responded that there is not any room to do that. Mr. Aptowitz also encouraged him to introduce himself to the police department in case there is ever an issue. The chair asked if anyone from the public that had a question or comment, but there was no one.

Motion: To close the public hearing. (Aptowitz/DelVecchio) **Passes 5:0**

Motion: To approve the transfer of an all alcoholic beverages on premises license from Flynn's Restaurant Group dba Flynn's Irish Pub to Mansfield Restaurant LLC dba Flynn's Irish Pub. (Rhein/DelVecchio) **Passes 5:0**

6. Discussion and Consideration of Common Victualler, Entertainment and Early Sunday Licenses for Mansfield Restaurant LLC dba Flynn's Irish Pub

Motion: To approve a Common Victualler, Entertainment and Early Sunday License for Mansfield Restaurant LLC dba Flynn's Irish Pub. (Rhein/Aptowitz) **Passes 5:0**

7. Select Board Member Committee and Liaison Updates

Ms. Bren had no new update. Mr. Aptowitz stated that the Volunteer Advisory Subcommittee will be meeting in March to move applications along. Mr. DeVecchio thanked Mr. LaCasse for the budget update and noted that the numbers being used are realistic and conservative. He then stated that Finance Committee will be meeting after our 2nd meeting.

8. Resident Questions and Comments

There were no resident questions or comments.

9. Review and Approve Consent Agenda

All items on the Consent Agenda may be adopted with a single motion. Any member of the Select Board may request that an item be withdrawn from the Consent Agenda for separate consideration in which case that item will be voted on separately from the remainder of the Consent Agenda. All licenses have been routed through Town Hall Departments and any conditions have been noted below.

A. Vote to Approve Meeting Minutes:

- February 1, 2023
- February 8, 2023
- February 15, 2023

B. Vote to Approve Warrants:

- Town Vendor Warrant No. 23034T in the amount of \$244,002.39
- Electric Vendor Warrant No. 23034E in the amount of \$351,435.15
- School Vendor Warrant No. 23034S in the amount of \$535,755.89
- Town Vendor Warrant No. 23035T in the amount of \$160,826.19
- Electric Vendor Warrant No. 23035E in the amount of \$30,981.40

C. Consideration of Permits and Licenses:

- Consideration of 2023 Drainlayers License for Rosenfeld Realty, Inc.
- Consideration of Banner Application for the Friends of COA

Motion: To approve the consent agenda. (Rhein/Aptowitz) **Passes 5:0**

10. Consideration and Approval of Town Payroll Warrants:

- Town Payroll/Town Medicaid Payroll 23034PT in the amount of \$394,272.15

Motion: To approve Town Payroll/Town Medicaid Payroll 23034PT in the amount of \$394,272.15. (Rhein/Aptowitz) **Passes 5:0**

- Town Deductions Vendor Payroll 23034TV in the amount of \$126,121.78.

Motion: To approve Town Deductions Vendor Payroll 23034TV in the amount of \$126,121.78. (Rhein/Aptowitz) **Passes 5:0**

- Town Payroll/Town Medicaid Payroll 23035PT in the amount of \$432,107.09

Motion: To approve Town Payroll/Town Medicaid Payroll 23035PT in the amount of \$432,107.09. (Rhein/Aptowitz) **Passes 5:0**

- Town Deductions Vendor Payroll 23035TV in the amount of \$140,599.38

Motion: To approve Town Deductions Vendor Payroll 23035TV in the amount of \$140,599.38. (Rhein/Aptowitz) **Passes 5:0**

- School Payroll/School Medicaid Payroll 23035PS in the amount of \$1,813,013.91

Motion: To approve School Payroll/School Medicaid Payroll 23035PS in the amount of \$1,813,013.91. (Rhein/Aptowitz) **Passes 4:0:1** (Trowbridge Abstain)

- School Deductions Vendor Payroll 23035SV in the amount of \$586,224,41

Motion: To approve School Deductions Vendor Payroll 23035SV in the amount of \$586,224,41. (Rhein/Aptowitz) **Passes 5:0**

11. Correspondence

- Email from Frank Bennett
- Notification from Verizon Programming Change
- Letter from Xfinity of Programming Changes
- Letter from Xfinity with Required Annual Notices
- Letter from Xfinity with Required Form 500
- Letter from the Commonwealth of Massachusetts – Cable License Renewal

Mr. Rhein read the email from Mr. Frank Bennett and then a summary of the notices listed above. In response to Mr. Bennett's email Mr. Dumas stated that excise taxes were mentioned at the Budget Subcommittee meeting but the discussion was on raising the revenue estimate of collections of vehicle excise tax not the actual tax amount that is charged to residents, he further noted that the Commonwealth of Massachusetts that sets the rate of excise taxes, not the Town. Mr. Trowbridge also noted that the trash was discussed at the Budget Subcommittee meeting that was reviewed by the Finance Committee in the past and needs to be looked at again, but nothing with trash is changing and just something that should be discussed. Mr. DelVecchio stated Mr. Bennett also had a concern about the twenty-five-year debt exclusion for the municipal complex and legally there is no way to go beyond the twenty-five years. Mr. LaCasse stated that his balanced budget that he is going to have prepared does not include taking away trash and was referred to the Finance Committee for review separate from the budget discussions.

12. Select Board Member's Comments and Questions

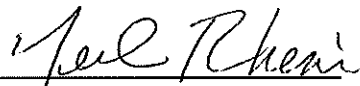
Mr. Rhein did not have any questions or comments. Mr. DelVecchio had no items. Mr. Aptowitz stated that the Branch Street solar area is not looking good for the residents that live near there. He stated that Mr. Sollecito has reached out to the company and hopefully in the spring the landscaping will be addressed. Ms. Bren attended the workshop for the TOD last week and it was well attended and well run. Also, she noted that March 6th the summer signups for Park and Recreation begin. Mr. Trowbridge asked to add newsletter discussion to the next agenda.

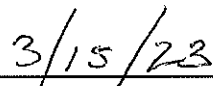
13. Any items not anticipated by the Chair 48 hours prior to this meeting

There were no items.

14. Adjourn

Motion: To adjourn the March 1, 2023 Select Board meeting at 6:29PM. (Aptowitz/Bren) Passes 5:0


Signature


Date

Minutes prepared by Carrie Champagne