

Board of Selectmen  
May 16, 2022  
Meeting Minutes

RECEIVED  
DATE 5/23 TIME 9am  
Debra J. Faguroton  
TOWN CLERK

Members Present: S. Collins, P. McCarthy, M. Doyle, M. Kelly, Pat Leaming (Virtual/phone-private (SC))

Public Present: John Freeman, Chester Jambora, Crystal Harry, Chris Harry, Kevin Moore, George Adams,

S. Collins called the meeting to order at 6:00 p.m. She asked Kevin Moore to lead the Pledge of Allegiance.

Review and Approve Minutes

S. Collins asked the members to review the minutes for the 04/25/22 and 05/02/22 minutes.

MOTION: M. Kelly made a motion to accept the 04/25/2022 minutes as amended.

SECOND: P. McCarthy

VOTE: VOTE: S. Collins – Aye; M. Doyle – Aye; M. Kelly – Aye; P. Leaming – Abstain; P. McCarthy – Aye.

MOTION: M. Kelly made a motion to accept the 05/02/2022 minutes as amended.

SECOND: M. Doyle

VOTE: S. Collins – Aye; M. Doyle – Aye; M. Kelly – Aye; P. Leaming – Abstain; P. McCarthy – Aye

**New Business:**

Annual Town Meeting Warrant – Approval

S. Collins asked the members of the BOS if they had a chance to review the Annual Town Meeting Warrant since it was out for close to a month. She indicated they needed to approve it and send it to the printers since time is running out to get it done.

MOTION: M. Kelly made a motion to accept the Warrant as presented.

P. McCarthy asked for a discussion. The Chair recognized Mr. McCarthy. He stated he thought the Warrant was about ready to send out. The only thing he suggested if the BOS would follow advice from Town Counsel on the ordering, to get the financial ordering first since that has been the way it was ordered habitually. He proposed the financial numbers be as close to the previous year's ordering. S. Collins stated Town Counsel did suggest that. She went on to say there was no bylaw for ordering the Annual Warrant, but it would be good to take this into advisement going forward, but at this time it was only a suggestion from Legal Counsel. P.M. indicated there was the same format for the six years he has been and the financial ones as written. After the numbered financial articles, it was first come, first serve and whoever came first, they received the next Warrant number after the financial articles. He believes it was only fair the residents get to vote on Financial Warrants first. S. Collins said there is no set order for what should be first on the Warrant, but she agreed with Mr. McCarthy that it needs to be looked into for future Annual Meetings. M. Doyle said he agrees with P. McCarthy regarding the financial items. He indicated since he has been around, items one through ten or twelve have always been Financials. He suggested they are reordered to fit that mold. He stated he suggested because many people want to vote one way or another on the financial items. He indicated many people would leave after a time and he believes it is important to have as many people as possible to vote on the Financials. M. Kelly stated he spoke to many people, and they have strong feelings both ways on the so-called Citizens Petitions. He believes they should be moved back since some people have certain things they want to discuss, and he is uncomfortable

holding people back longer. P. McCarthy stated there are people in the audience, such as a School Committee member and Superintendent who can answer questions for their part of the Warrant. He acknowledged if the Warrant was going to go in the way it is no matter what, then it will, but he wanted to point out he thought the Financials being first was better choice.

S. Collins indicated M. Kelly made a motion to accept the Town Warrant as written.

SECOND: P. Leaming

VOTE: S Collins – Aye; M. Doyle – Abstain; M. Kelly – Aye; P. Leaming – Aye; P. McCarthy – Aye

Chapter 61A – Right of Refusal -Dunhamtown Brimfield Road Parcel 12-A-29.11 & Devil's Lane – Parcel ID: 3-B-9.1

MOTION: M. Doyle made a motion to take no action on Dunhamtown Brimfield Road – Parcel 12-A-29.11 or Devil's Lane Parcel 3-B-9.1

SECOND: M. Kelly

VOTE: All in Favor

Mike Miller – Use of Town Hall for Proposed Candidate Night on 05/24/2022

M. Miller stated he has done this before including last year and five years ago. He invited the four Candidates for BOS to come to "Candidate Night". The Chair recognized Crystal Harry. She asked how the Candidate Night would be publicized for the Town to see. S. Collins asked if Mr. Miller could answer that question. He stated he would post on the Town Website and the Community Page since it has at least 3,000 members. Crystal Harry asked about the people who were not on the page and how he will reach them. M. Miller said they were talking about it now so people will hear it and he hoped the press would cover it. She asked if the proposed date was May 24 and if so, it does not give them much time to plan for it. S. Collins asked M. Miller if this would post on the Town Website. He said it would be there. As far as the time constraint, he mentioned it was on the last agenda, but the meeting had been cancelled.

MOTION: M. Kelley made a motion to accept the May 24<sup>th</sup> date to use the Town hall

SECOND: P. Leaming

VOTE: S. Collins – Aye; M. Doyle – Abstain; M. Kelly – Aye; P. Leaming – Aye; P. McCarthy – Abstain

George Adams – Request for Use of Town Common & Gazebo on 06/04/2022 for Proposed Candidate Meet and Greet

G. Adams asked that he be allowed to use the Town Common & Gazebo for a Candidate Meet and Greet. P. McCarthy stated, based on ethics research, it may be a conflict of interest to use Public Property for this type of event. He indicated you never see political events on the Common or the Town Employees. G. Adams indicated he invited all Candidates. He said if the Town Hall can be used for a "Candidates Night", they should be able to use the Town Common. He went on to say candidates would have to bring their own tables and chairs and it would be the same day as the Town Wide Tag Sale which means many people would be there. Chris Harry pulled up the Campaign Finance Guide on his phone and read that if a candidate is having a "Meet & Greet" in a public library (he indicated it would be the Town Common in this case) it is acceptable as long as equal access is granted to all candidates and no one solicits or accepts campaign contributions. He said it would be ok if it were the entire BOS setting it up and not just one candidate. S. Collins stated he is only asking to use the Common. M. Kelly indicated it was a compelling argument as we do use the Town Hall and other public places. S. Collins said the BOS was not organizing the event as M. Miller is and does not know why they would organize the Town Common. She asked if there was any other discussion. M. Doyle stated M. Miller asked the Candidates for their availability and thinks the same should happen for the Town Common Event. He said if the event is "all access"

and especially for contested races, the organizer should make sure everyone is available before a date is requested. He indicated he was not available on the fourth. G. Adams replied that he understands that but had to change his schedule to be available for the "Candidates Night" M. Miller is organizing. He hoped the other candidates would be willing to do that too. He stated there were only a few Saturdays left before the election. He apologized to the other candidates on the BOS, but that the June 4th date was the only one that worked for him. He acknowledged when he was approached by M. Miller regarding the date, M. Miller said the 24<sup>th</sup> was the only date that worked for him. He made it work and changed his schedule. Crystal Harry indicated an event organized by the Town was different from someone who is running as a candidate and to organize something and to expect the other candidates to be there. T. Cofske asked the BOS if "Candidates Night" is a Town sponsored event. S. Collins replied that it was not, and that M. Miller is sponsoring it. Crystal Harry spoke out and said M. Miller is the moderator. S. Collins asked her not to interrupt the meetings anymore unless she is recognized. She acknowledged C. Harry had interrupted at least four times during this meeting and would respectfully ask her not to do it anymore. Crystal Harry shouted something that this minute taker could not hear as S. Collins was speaking. S. Collins respectfully asked Crystal Harry to wait to be recognized before speaking. S. Collins stated M. Miller is sponsoring the event, and she was not sure it is a Town sponsored Event. M. Doyle replied that M. Miller was doing the event as the Town Moderator.

MOTION: M. Kelly made a motion to approve the request to use the Common on June 4<sup>th</sup>.

SECOND: P. Leaming

**Discussion:** Mr. Leaming (phone) stated he did events like this all the time and did not think it was an ethical challenge, but they can call the Ethics number. He said that it was ok to hold an event like this as long as everyone got equal access whether they can make it or not. He said it did not matter who was organizing the event, but he did suggest G. Adams calls the Ethics number to verify. He said the BOS could vote and make it contingent on what Ethics says, but he is 99.9 percent it is ethical at all. He went on to say G. Adams is not benefiting from the event at all. He said if G. Adams wanted to use the Town Hall to give his speech that would not be ok, but if he said he would like to use the Town Hall for everyone to give his or her speech, it would be fine. He indicated there are three things about ethics, one is money, two is access and the third is Disclosure and these are the Pillars of Ethics. G. Adams said he reviewed the campaign rules and stated that is why he opened the event up to all candidates for all open slots.

S. Collins asked G. Adams what time the event was being held. G. Adams indicated it was from 10:00 a.m. to 12:00 p.m.

S. Collins stated they had a motion and a second and asked for a vote.

VOTE: S. Collins – aye; M. Doyle – Abstain, M. Kelly – Aye; P. Leaming – Aye; P. McCarthy – Abstain

S. Collins asked G. Adams to call the Ethics number to make sure it is ok.

#### Signage on Town Common

S. Collins showed a photo of a sign on the Common and stated that Bob Correy is taking the sign in the photo down. He offered it to other non-profits to use. He also knows if anyone else were to use it, they would have to go before the BOS to be able to use it. S. Collins indicated that B. Correy is taking it down because if it were to be permanent it would have to go to B. Cantell (Building Inspector). P. McCarthy said he thought the sign was up for a fund-raiser and it was to have a thermometer to show how much money was raised and it would be taken down once goal was reached. He said it was for the gazebo and now that it is past, it can be taken down.



Adjournment

MOTION: M. Kelly made a motion to adjourn the meeting.


SECOND: P. Leaming

VOTE: All in Favor

The meeting adjourned at 6:27pm.

Respectfully Submitted by Patricia A. Plasse

Approved: \_\_\_\_\_

  
Suzanne M. Collins, Chair

**MATERIALS UTILIZED FOR BACKGROUND AND REFERENCE**

1. Meeting Minutes – April 25, 2022 and May 2, 2022
2. 2022 Annual Town Meeting Warrant
3. Chapter 61a Release/Right of 1st Refusal(s): Dunhamtown Brimfield Road – Parcel ID: 12-A-29.11 & Devil's Lane – Parcel ID: 3-B-9.1