

**A JOINT MEETING OF THE
GENERAL GOVERNMENT SUBCOMMITTEE / TOWN
COUNCIL MEETING
WEDNESDAY, JANUARY 6, 2021 6:00PM
REMOTE PARTICIPATION**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the General Government Subcommittee is being conducted in person as well as remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. Despite our best efforts, we are not at this time able to provide for real-time access, and we will post a record of this meeting on the city/town's website as soon as we are able.

A ROLL CALL VOTE IS REQUIRED FOR ALL VOTES TAKEN UNDER THIS

General Government Subcommittee members present Chair Gus Steeves, Councilor Michael Marketti, Citizen Member Denise Clemence, Citizen Member Martena Shea
Also present: Town Manager Michael McCall, Councilor John Daniel, Councilor David Adams, Council Chair John Jovan, Town Treasurer Melissa Zawadzki, Director of Finance Karen Harnois, and Conservation Commission Member Maureen Doyle.

1. **Consider and accept General Government Subcommittee Minutes of November 9, 2020.** Postponed.
2. **Discuss amending Schedule 1 to reflect the state's increase of minimum wage effective January 1, 2021, and entertain a motion to vote to recommend to Council for approval.** Director of Finance Karen Harnois said there is only one proposed change on the schedule and it is for specialized services. Councilor Steeves asked why the Community Services Director was removed from this list, Ms. Harnois explained Pat Haddock's position encompasses some of those duties, but since she did not take on the Veteran's Services portion of Mike Trombly's position it is titled differently. **Vote to recommend that the Council approves Schedule 1 to reflect the state's increase of minimum wage effective January 1, 2021.** A motion was made by Ms. Shea, seconded by Councilor Marketti. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Marketti, Councilor Steeves. By 4-0, the motion carries.
3. **Discuss amending Schedule 5 to reflect the state's increase of minimum wage effective January 1, 2021, and entertain a motion to vote to recommend to Council for approval.** Councilor Steeves asked how many years of minimum wage hikes were left. Town Treasurer Melissa Zawadzki confirmed there were two years left. Councilor Steeves asked why there was a difference in pay between the Council on aging custodian and the Police Department custodian, Ms. Harnois noted that there is a difference in responsibilities. **Vote to recommend that the Council approves Schedule 5 to reflect the state's increase of minimum wage effective January 1, 2021.** A motion was made by Ms. Clemence, seconded by Councilor Marketti. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Marketti, Councilor Steeves. By 4-0, the motion carries.
4. **Discuss the request for transfer of \$553.25 from 001132-578100, Town Council Reserve Fund, to 003135-589900-9095, Town Prior Year Unpaid Bill, and vote to recommend to Council for approval.** Ms. Harnois said the Town Clerk received an invoice recently from June 2020 for services rendered. They are unsure how the bill went missing, but have the funds to transfer to pay it. **Vote to recommend that the Council approves the transfer request of \$553.25 from 001132-578100, Town Council Reserve Fund, to 003135-589900-9095, Town Prior Year Unpaid Bill.** A motion was made by Councilor Marketti, seconded by Ms. Shea. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Marketti, Councilor Steeves. By 4-0, the motion carries.
5. **Discuss amending the Employee Personnel Rules and Regulations to add a Telework Policy and recommend to send to Council for ratification.**

Town Manager McCall said many employees have asked about telework policies for various legitimate reasons, which is why he did some research and compiled a draft of such a policy. The policy determines guidelines and expectations that outline who is eligible for this, liability, and notes that the Town will not pay for home office equipment or the internet. Town Manager McCall believes this is a crucial step to take towards helping employees who are dealing with ongoing quarantine situations, fluctuating child and school care, and other factors that COVID continues to contribute to. Ms. Clemence enjoyed how comprehensive the policy was, but wondered if there was a way to track or monitor if employees are actually logging on and staying on. Town Manager McCall said he is unsure if they have that technology, but he imagines there is a way to monitor whether people are accessing the VPN. He believes if they give tasks and assignments out and they end up not being completed, they'd address that on a case by case basis. Maureen Doyle said some people may be in need of internet access, therefore she doesn't know that it should be left out of the policy, but Town Manager McCall noted that this policy is for people volunteering to work from home therefore the Town does not need to provide everything. If the Town was mandating this policy, then they would rework it.

Councilor Marketti asked who would qualify for this, since some people may need to be at the Town Hall when it reopens. Town Manager McCall said employees who process mail or financial transactions may not be able to work from home, but others who do a lot of their work from the computer and phone would be able to.

Councilor Steeves noted the security section because he has an issue with people taking private information home and wants to know how they plan to ensure the information is not being copied or stolen. Town Manager McCall said there is a certain element of trust with employees and any system they'd log into from home they'd be able to log in from work too, so to him, it would make sense to allow them to continue their jobs as usual and trust that they are following their code of ethics.

Town Manager McCall said they've comprised an agreement that would need to be signed by all parties every time someone wants to take advantage of this policy, which is a good way for everyone to be on the same page. This policy may stick around after COVID since it can allow for flexibility in the future.

Vote to recommend that the Council amend the Employee Personnel Rules and Regulations to add a Telework Policy. A motion was made by Ms. Clemence, seconded by Councilor Marketti. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Marketti, Councilor Steeves. By 4-0, the motion carries.

6. **Discuss deletion of the Indemnification (IOD) By-law Review Board Article XVII and entertain a motion to recommend that the Council accept this deletion of By-law for three readings.** Town Manager McCall explained that he has been part of a few of these IOD reviews and he found it odd that this was the process and noted that the most recent IOD hearing cost the Town close to \$5,000. He's reached out to the appropriate parties and they're supportive of this change as this is one of the only communities still using this panel approach. Town Manager McCall did a lot of research into the history of this bylaw and into how other towns manage this and in doing so he found that it would be in the Town's best interest to remove this and let him review these claims. This would expedite the claim process, save the Town money, and be a much-needed update. Councilor Marketti spoke with people who were involved in the original bylaw and determined that the Council didn't want to give more power to the Town Manager at that time. He feels it would be more appropriate for the Bylaw Review Committee to review this change.

Ms. Clemence said the Bylaw Review Committee isn't really to set new bylaws, it is to review them and make recommendations as needed, therefore she thinks this would be the proper process for this item at this time. Ms. Clemence applauded the Town Manager on catching this because it has never really been discussed much during her time with the Town and she would love to find a better way to respond quickly to those in need and to make this process more efficient. Ms. Zawazki noted that union members have complained about this process as well and it is a real issue. Many people were concerned with the fact that this bylaw exists but was not listed with the bylaws and just sort of "disappeared". Council Chair Jovan thanked the Town Manager for bringing this to their attention and providing them with a thorough explanation of why this change is needed.

Councilor Daniel believes that Town manager McCall is qualified to make these decisions, but asked if it is something Town Managers are usually able to do. Town Manager McCall said the Town does not need to move in this direction or they could always put a similar bylaw in should they change their minds, but he believes the

Council did not want the Town Manager at that time to have this authority. Ms. Shea said if 170 other Towns allow their manager to this, they should follow suit.

Vote to recommend that the Council accept the deletion of the Indemnification (IOD) By-law Review Board Article XVII and entertain a motion to recommend that Council accept this deletion of By-law for three readings A motion was made by Ms. Clemence, seconded by Councilor Marketti. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Steeves. By 3-1, the motion carries. (Councilor Marketti opposed)

7. **Discussion Bond Refunding: That in order to reduce interest costs, the Treasurer, with the approval of the Town Manager is authorized to provide for the sale and issuance of refunding bonds under G.L. c44, Sec. 21A to refund all or any portion of the remaining principal of and redemption premium and interest on any outstanding bonds of the Town, including the payment of all other costs incidental and related thereto.** Ms. Zawadzki reminded the Council that they did a refund about a year and a half ago where they capitalized on decreasing rates and saving the Town interest costs. Ms. Zawadzki said bonds have a date on them and when they refund early they are able to get different investors. She said since the rates are so low right now, it makes sense to refund them early rather than waiting. Ms. Clemence recalls how much money they saved a few years back when they did something similar and she supports doing this again. Councilor Steeves asked which projects were the bonds for, Ms. Zawadzki said one of the bonds is the school, and there others may be a few different projects under one issuing.

Recommend that the Council vote on the following: that in order to reduce interest costs, the treasurer, with the approval of the Town Manager is authorized to provide for the sale and issuance of refunding bonds under g.l. c44, sec. 21a to refund all or any portion of the remaining principal of and redemption premium and interest on any outstanding bonds of the town, including the payment of all other costs incidental and related thereto. Vote to recommend the Council amend the Employee Personnel Rules and Regulations to add a Telework Policy. A motion was made by Ms. Clemence, seconded by Ms. Shea. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Marketti, Councilor Steeves. By 4-0, the motion carries.

8. **Discussion Pavement Funding: That the Town appropriates ten million dollars (\$10,000,000) to pay costs of paving roadways throughout the Town, constructing and reconstructing roadways (additional description), including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town, therefore.** Town Manager McCall has been working with the DPW and Finance department to discuss the best way to fund pavement plans, this item would allow for them to have a rolling plan for long term stability. Councilor Marketti supports this idea but wondered why the list of priority roads voted on by the DPW subcommittee was not included in the Pavement Management plan. Town Manager McCall said he will talk about this more at the upcoming Town Council meeting, but in short, the Town Engineer recommended a “best first” approach to the roads because it allows for more change and a higher road surface rating. He noted that this approach doesn’t dictate that those roads in the list provided would come first, but they certainly aren’t being ignored. Councilor Marketti understands and thanked the Town Manager for his work on this, but he hopes those priority roads don’t get forgotten.

Ms. Clemence said the roads with businesses on them should be made a priority because when trucks aren’t able to access these establishments, that is a huge issue. Ms. Shea is concerned that the roads that are a mess will just get kicked down the road further and the money should be put where it needs to be- which is in those roads. Town Manager McCall said this item is just to set aside the funds to improve roads, but it isn’t deciding on which roads. Council Chair Jovan appreciates that the DPW subcommittee put out a list of priority roads, but also appreciates that the Town Manager is doing the research to ensure that the roads are done in an order that makes sense. Ms. Clemence noted that Engineers should ultimately have the final say on the road plan because they are experienced professionals.

Ms. Zawadzki explained that the authorization doesn’t mean they have to borrow all of that money, it just allows them to create flexibility in their planning since this project is a very long term one. The Council would be able to rescind this authorization at any time. Town Manager McCall noted that they do plan to use some of the tax

money from retail marijuana establishments for the pavement management plan, however, it may be over a year until they start to see any of that money, which is why this borrowing can help with some of the short term projects.

Motion that to recommend that the Council appropriates ten million dollars (\$10,000,000) to pay costs of paving roadways throughout the Town, constructing and reconstructing roadways (additional description), including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(L), or pursuant to any other enabling authority, and to issue bonds or notes of the Town, therefore. A motion was made by Councilor Marketti, seconded by Ms. Clemence. Vote by roll call. Members in favor: Ms. Shea, Ms. Clemence, Councilor Marketti, Councilor Steeves. By 4-0, the motion carries.

9. **Continue discussion of amendments to Southbridge Code of by-Laws introducing new article 9-203: Wetland Protection and Conservation, Chapter 9-203.1: Purpose, Chapter 9-203.2: Jurisdiction, Chapter 9-203.3: Conditional Exceptions, Chapter 9-203.4: Filing Requirements and Procedures, Chapter 9-203.5: Notice of Hearings, Chapter 9-203.6: Notification to Other Town Officials, Boards and Commissions, Chapter 9-203.7: Public Hearings, Permits and Conditions, Chapter 9-203.8: Violations and Enforcement, Chapter 9-203.9: Construction Standards and Restrictions, chapter 9-203.10: Security, Chapter 9-203.11: Appeals, Chapter 9-203.12: Relations to the Wetlands Protection Act, Chapter 9-203.13: Severability, Chapter 9-203.14: Regulations, Chapter 9-203.15: Definitions. Entertain a motion to vote to recommend that the Council accept this By-law for three readings.** A motion was made by Ms. Clemence, seconded by Ms. Shea to vote on this item. Councilor Steeves said that members of the Planning Board were unable to attend, however, Conservation Commission member Maureen Doyle is available for any questions. Ms. Doyle said the Conservation Commission has received feedback from the General Government and they've tried to incorporate the changes into the bylaw. Wetlands setback reduction language was changed to state that people can propose reducing the setbacks if they present sound reasoning to the Commission. Ms. Doyle said the Conservation Commission can be flexible on a case by case basis, which is what that language is meant to state. Councilor Steeves questioned the language on vernal pools because they want to make sure they are protected whether they are certified or not, but Ms. Doyle said they can only protect them during construction, therefore if a resource area is identified they can take action to alter plans. Ms. Clemence is still bothered that this item continues to be brought up at meetings that the Town planner is unable to attend and asked if there were any actual changes outside of the setback language. Ms. Doyle thinks there were more changes, but she did not have the full document and changes with her to speak to those. Councilor Marketti suggested they move forward with recommending this to the Council and then additional changes can be made during the three readings since they have talked about this topic for over a year at the subcommittee level. Many members were disappointed with the Planning Board and Conservation Commission since they have not been very involved with this process. Ms. Doyle will be sending meeting minutes to the subcommittee meetings for their reference. Vote by roll call. Members in favor: Ms. Shea, Councilor Marketti, Councilor Steeves. By 3-1, the motion carries. (Ms. Clemence opposed)
10. **New business.** Ms. Clemence suggested Councilor Steeves email out meeting dates in advance since many people are members of other boards and committees, therefore they are not always able to plan accordingly.
11. **Adjourn.** A motion was made by Councilor Marketti, seconded by Ms. Clemence. **Vote by roll call. Members in Favor: Councilor Marketti, Councilor Steeves, Citizen Member Ms. Clemence. By 4-0 the motion carries.**

The meeting adjourned at 8:30 PM.

Respectfully submitted,
Mary Darling
Recording Clerk