Selectmen Meeting February 15, 2024, 6:00PM

In attendance: David Dufresne, Chair; Rich Eichacker Vice-Chair; Derick Veliz, Clerk; Jim Ferrera, Town Administrator; Karen Dusty, Administrative Assistant

Open Meeting:

Pledge of Allegiance:

- 1. Fire Department Monthly report: Chief Lavoie read the attached report.
- **2.** Discussion and acceptance of the FY24 Fire Fighter Grant (Anticipated vote) Mr. Eichacker made a motion to accept the FY24 Fire Fighter Grant, 2nd by Mr. Veliz, all in favor, passed unanimously.
- 3. Discussion and acceptance of the St. Stanislaus Society of West Warren Change of Officers and Manager (Anticipated Vote) Mr. Eichacker made a motion to accept the change of Officers and Manager for St. Stanislaus Society of West Warren, 2nd by Mr. Veliz, all in favor, passed unanimously.
- 4. Police Department Monthly report: Chief Millette read the attached report.
- 5. Acknowledgement of the resignations of Police officers Brad Merkel and Madesyn Nale effective February 23, 2024.
- Discussion and possible vote to authorize the Highway Surveyor to deficit spend in the Snow and Ice account (Anticipated Vote). Mr. Eichacker made a motion to authorize the Highway Surveyor to deficit spend in the Snow and Ice Account, 2nd by Mr. Veliz, all in favor, passed unanimously.
- **6. Emergency Management Monthly report:** Mr. McKeon read the attached report and stated that they need more people for CERT.
- 7. Discussion on proposed Fiscal Year 2025 Selectmen's Budget. (Anticipated Vote) Tabled until the 22nd.
- 8. Report on the School / Prospect Street Site walk and continued discussion on possibly signing the certificate of substantial completion for the work done on the School Street Phase 1 and Prospect Street Improvement Project (Anticipated Vote). Mr. Eichacker made a motion to accept and sign the certificate of substantial completion for the work done on the School Street Phase 1 and Prospect Street Improvement Project; 2nd Mr. Veliz, all in favor, passed unanimously.
- 9. Discussion and appointment for the Town Levee Compliance/Safety Committee Adam Lavoie, William Leslie for a three-year term. (Anticipated Vote). Mr. Eichacker made a motion to appoint Adam Lavoie and William Leslie for a three-year term to the Town Levee Compliance/Safety Committee, 2nd by Mr. Veliz, all in favor, passed unanimously.
- 10. Discussion and appointment Daniel Thibodeau to the Town of Warren 20 Year Comprehensive Plan Committee. (Anticipated Vote) Mr. Eichacker made a motion to

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appoint Daniel Thibodeau to the Town of Warren 20 Year Master Plan Committee, 2nd by Mr. Veliz, all in favor, passed unanimously.

11. Discussion and signing of the Warrant for Presidential Preference Primary (Anticipated Vote) Mr. Eichacker made a motion to approve and sign the Warrant for Presidential Preference Primary, 2nd by Mr. Veliz, all in favor, passed unanimously.

12. Warrants & Bills (Anticipated Vote)

a. Warrants Mr. Eichacker made a motion to pay the following Warrants, 2nd by Mr. Veliz, all in favor, passed unanimously.

i.	#45	Payroll	\$ 95,266.55
ii.	#46	Vendor	\$ 334,562.04

b. Bills Mr. Eichacker made a motion to pay the following Bills, 2nd by Mr. Veliz, all in favor, passed unanimously.

	r	
	Modern Pest	\$ 8.00
	Crystal Rock	\$ 26.45
iii.	Comcast Business	\$ 143.35
iv.	National Grid	\$ 3,047.75
v.	Verizon	\$ 7.51
	Stericycle	\$ 242.04
	Van Pool	\$ 4,608.45
	Pineridge Technologies Inc.	\$ 637.90
ix.	AK Industrial Services LLC	\$ 9,940.00

13. Minutes: Review and possible acceptance of any minutes (Anticipated Vote). Mr. Eichacker made a motion to accept the minutes for February 1, 2024, 2nd by Mr. Veliz, all in favor, passed unanimously.

• Town Administrator Report:

- Michael Stewart at All One Health and we have scheduled a day for training, it is March 27, at 1:00PM. I will be notifying everyone to close their offices at 12:45 PM.
- o The interviews for the Town Accountant will be completed on February 22, we will shortly have someone to present to the Board.
- o B & G came in to look at the boilers, he needed to replace a valve but did not have the correct size, so he has ordered it and will come back once it is in. If the valve does not keep the pressure up, we will need to replace our expansion tank.
- The Board of Health is applying for a recycling grant and needs to send out a memo and directive to all departments where the Town uses recycled products.
- We received the Cyber Security Grant from MIIA and will be using it for the SonicWall firewalls for Highway, Senior Center and the Wastewater Treatment Plant.
- Conservation received their new computer and monitor. The Tax Collector had asked for two larger monitors which were purchased from Amazon because it was cheaper than Northeast IT.
- Capital Planning sent out a memo on how to request capital planning for a project. All projects are due by March 12.

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- O I have been working with the Board and Town Council to see where we stand on the legal fees. It looks like we will need to do a Reserve Account Transfer to be able to pay the legal bills for the rest of this year. This has come up because we were trying to resolve the case through mediation, but that did not work, so we might end up going to trial.
- Central MA Reginal Planning Committee is doing the ADA Transition Plan kickoff on February 29. They will be here earlier that day to speak with some departments.
- On March 5th Chief Millette is sending the 3 new Police Officers to a crash simulation put on by MIIA.
- Fiscal Year 25 budgets are going well. FinCom had to postpone their meeting until next Tuesday due to the weather.
- The Green Community Grant is open for applications. I will be collaborating with Central MA Regional Planning Commission to apply for another \$200,000.00 weatherization at the Senior Center.
- I was in touch with Rep. Smola and Senator Oliveira. Sometimes the government has money that can be earmarked for small towns, so I was hoping that they could help us with the roof on the Senior Center.
- We have a meeting at the Senior Center with CMRPC to present all the projects that are going on in Town and some that are in the planning stage.
- o Meeting with Weston and Sampson for an update on their projects.
- Rural Director Gobi has a weekly check in with rural communities. We discussed the One Stop for Growth grant that is open now.

14. Discussion on potential Open Meeting Law Complaint by resident Peter Krawczyk Mr.

Dufresne stated that we had an open meeting law complaint because of a Facebook conversation. Mr. Ferrera will respond to the letter stating that Mr. Dufresne was answering a question from a resident and an employee. That none of the other selectmen commented or reacted to the comment. That the Town seal is not on this pictural page. The Town Facebook page does not allow comments, it is just for information.

New Business: NONE
 Old Business: NONE
 Correspondence: NONE
 Comments and Concerns

- Mr. Kondrat stated that he wanted to thank the Ambulance crew for their quick response for his wife.
- o Mr. Thibodeau stated that he had a problem with water running off the road and into his yard, and then back on the road. It is wrecking his driveway. Mr. Olson stated that he would take a look at it, and they can produce a solution.

• Next meeting: February 22, 2024, 6:00 PM.

• Adjourn Mr. Eichacker made a motion to adjourn, 2nd by Mr. Veliz, all in favor passed adjourned 8:01.

Respectfully submitted by

Karen Dusty, Administrative Assistant

Derick Veliz, Clerk

CERTIFICATE OF SUBSTANTIAL COMPLETION

PROJECT: School Street Phase 1 and Prospect Street Improvement Project

CONTRACTOR: A. Martins & Sons Construction, Inc

CONTRACT DATE: April 6, 2023

TENTATIVE LIST OF ITEMS TO BE CORRECTED OR COMPLETED

See Attached Punch List

DEFINITION OF SUBSTANTIAL COMPLETION

The date of substantial completion of a project or specified part of a project is the date when construction is sufficiently completed, in accordance with the contract documents, so that the project or specified part of the project can be utilized for the purpose for which it was intended.

To: Town of Warren, Massachusetts

Date of Substantial Completion: November 3, 2023

The work under this contract has been inspected by authorized representatives of the Owner and Contractor and the project is hereby declared to be substantially completed on the above date.

A tentative list of items to be completed or corrected is appended hereto. The failure to include an item on it does not alter the responsibility of the Contractor to complete all work in accordance with the contract documents:

TOWN OF WARREN:	DISCL	ogen mensoular for av Vision a segment of the second	Name of the last o	
TITLE: Selectman	, Chair	DATE:_	2-15-2024	
engineer: Williar	n Storti ou Date	ally signed by William S C=US, E=stortiw@wsei "Weston & Sampson E William Storti	storti inc.com, ngineers, Inc.", 05'00'	
TITLE:			DATE:	

CONTRACTOR: A. Martins & Sons Construction, Inc. AUTHORIZED REPRESENTATIVE: Machado Martins	
DATE:	
EXCEPTIONS AS TO GUARANTEES AND WARRANTIES: NONE	,
ATTACHMENTS:	
Punch List prepared by William Storti	

The Contractor accepts the above Certificate of Substantial Completion and agrees to complete and correct the items on the tentative list.

PUNCH LIST

School Street Phase 1 and Prospect Street Infrastructure Improvements Project Warren, MA

Date of Inspection: November 7, 2023 (amended 02-15-24)

Time of Inspection: 9:30 am - 10:00 am

Attendees: Jim Ferrera – Town of Warren

Jeremy Olson - Town of Warren

Andy Lalashius – Warren Water District Dave Johnson – Warren Water District

Machado Martins – A. Martins & Sons Construction

Chris Dunphy - Central Massachusetts Regional Planning

Commission

Bill Storti – Weston & Sampson Engineers

Summary of Inspections:

1. Remove materials and clean up staging area.

- 2. Loam areas and rake smooth all disturbed areas. Areas along Richardson and Prospect that will have sidewalk installation in 2024 do not need loam and shall be raked smooth.
- 3. Perform DOT requirements once permit is issued.
- 4. Reset street sign at Richardson and School.
- 5. Sweep all roads.
- 6. Raise hydrant at the bottom of School.
- 7. Remove post at hydrant on School north of Richardson intersection
- 8. Remove project sign and traffic control signs.
- 9. Place loam as needed and re-seed disturbed areas as required in Spring of 2024.
- 10. Repair fence fabric top and bottom to eliminate hazardous conditions. Remove fence fabric cuttings and clean wall of all debris. Adjust/tighten fence brackets and clamps as required.
- 11. Grout wall cap voids and cut back temporary shims.

Memo

To:

Laurie Stockley, Town Clerk

From: Karen Dusty Administrative Assistant

Date: February 15, 2024

Re:

Appointment

At the Board of Selectmen meeting held on February 15, 2024, it was voted on to have Adam, Lavoie and William Leslie to be appointed to the Town Levee Compliance/Safety Committee for a three (3) year term.

Memo

To: Laurie Stockley, Town Clerk

From: Karen Dusty Administrative Assistant

Date: February 15, 2024

Re: Appointment

At the Board of Selectmen meeting held on February 15, 2024, it was voted on to have Daniel Thibodeau to be appointed to the Town 20-year Master Plan Committee for a three (3) year term.

FIRE CHIEF REPORT January 2024

FIRE CALLS:

The Fire Department responded to 67 calls in January of 2024.

Motor Vehicle Accident
Medical Assist
Activated Alarms5
Carbon Monoxide
Investigations
HazMat 1
Illegal Burns
Cancelled 3
Service Call4
Mutual Aid 1
Good Intent
Gas Emergency2
Cooking Fire Incident
Vehicle Fires

AMBULANCE:

Warren EMS responded to 62 calls in January of 2024, and 9 ALS intercepts were required.

INSPECTIONS:

The following inspections took place in January of 2024:

- -3 Smoke/CO Inspections
- -1 Oil Burner Inspections
- -4 Liquid Propane Inspections

ACTIVITIES/MEETINGS:

In January, Warren EMS trained on ALS/BLS Interface skills that included IV bag use and procedures and medication administration. Warren Fire personnel held a unique drill that incorporated truck equipment locations and gear races.

BUDGET:

I continue to watch the FY 24 budget closely. At this time, I do believe there may be a shortage in the Ambulance Billing line item. I will monitor this as the fiscal year continues.

Respectfully, Adam Lavoie Fire Chief

Monthly Report January 1, 2024 to January 31, 2024

In the month of January 2024, the Warren Police Department responded to a total of 1852 calls for service with 23 ending in arrests. The following is a breakdown of statistics.

Calls Logged	1852
Felonies Investigated	11
Incident reports	62
On View Arrests	3
Warrant Arrests	4
Summons Arrests	16
Total Arrests	23
Protective Custodies	3
Juvenile Arrests	0
Motor Vehicle Stops	98
Motor Vehicle Citations	52

In January 2024, the Police Department had 6 total vehicles on the roster. They consist of 5 Ford Police Interceptor SUV's and 1 Humvee. Mileage on each is as follows.

KM62	11,440
CT62	8,274
D785	68,793
5068	39,513
C564	1,035
Humvee	8.353

At the beginning of the month, I attended Chiefs legal updates in Southbridge, this is a required class for yearly in-service. Then on the 9th, I attended a class put on by our insurance carrier MIAA. This class was on Police Mental Health and will count towards a credit of our premium.

On the 10th, I attended our month meeting of the school safety committee. At this meeting we set up ALICE training for the 7th graders and also set a date for an upcoming drill.

Also on the 10th, the Department took delivery of its new patrol cruiser. This 2023 Ford Police Interceptor replaces a 2020 that had over 106,000 miles. With this our fleet is in good condition and we are on a schedule for replacement. A police cruiser due to its use, has a life span of 3 years and 100,000 miles.

On the $13^{\rm th}$, I applied for the States Medi grant. This grant gives the Department funds to help with the collection and destruction of prescription medications.

On the 22^{nd} , Officer Morin and I held a class for the entire seventh grade. This class was on safety and ALICE protocols.

On the 26th, the entire Department went through CPR and First Aid certification. We completed this in house in our training room.

On the 29th, I met again with Town Administrator Jim Ferrera to do go over the Police Department's upcoming budget.

And finally, the week of the 29th was the last for full time Officer Paul Soojian. Ofc Soojian started part time with us and then moved in to a full-time position. He was in charge of the Departments medical supplies as well as trainings. We wish Paul well in his new endeavor.

Here is to a happy and healthy 2024,

Chief Gerald Millette



CHIEF OF POLICE James Early Lieutenant

TOWN OF WARREN, MASSACHUSETTS

POLICE DEPARTMENT

1 MILTON O. FOUNTAIN WAY, P.O. BOX 606, WARREN, MASSACHUSETTS 01083 TELEPHONE: 413-436-9595 FAX: 413-436-7674

Dear Chief Millette,

Please see this see this memo as my resignation as a Police Officer with the Town of Warren, effective February 23, 2024.I will forever appreciate the experience and knowledge the department has instilled upon me.

Very Respectfully,

Brad Merkel

2/9/24

Friday, February 9th, 2024

To: Chief Millette and Lieutenant Early

From: Madesyn Nale RE: Two-week notice

Please accept this letter as formal notice of my resignation from the Warren Police Department. My last day of employment will be Friday, February 23rd, 2024.

Thank you for giving me the opportunity to work at the Warren Police Department for the past three and a half years. I have enjoyed working here and appreciate all the opportunities that has been given to me. However, I have decided it is time for me to move onto the next step in my career. I have developed and learned some great skills that I will take with me.

Thank you again and I wish you both and the Warren Police Department the best.

Respectfully Submitted,

√adesyn Nale`

January 2024 Emergency Management Report

Jan 7 Test of emergency alert sirens test normal

January 6 and 7th largest snowstorm of the season so far a foot in most places in town. Couple areas on highest elevations in town may have gotten 15 to 16 inches of snow.

January was a very active weather month with storms that would go from snow to rain to ice causing different types of weather in different elevations in town which more storms are starting to do that difference between a couple inches from across town which seems to be the future of winter storms. Also the fast nature of snow melting the January 6 snowfall melted in about four days ,most of the snow was gone and then we continued to get bouts of snow and rain, Ice the rest of the month

Snow events,

January 8 12.0 snow
January 16, 2.5 inches of snow
January 21 .5 of snow
January 23rd 1.5
January 28 3 inches and the fact

Total 19.5 of snow

most of these storms were a longer duration storm over 12 –18 hours of falling precipitation.

We averaged about 3 inches of rain between all these snow events which caused some minor flooding at times, and higher water levels.

January 24 Cert meeting we did not have enough of members to start another Cert unit only two showed up.

January 24, 6 PM regional Cert leader meeting was held in Worcester at the EOC talked about Certs upcoming plans for the year and that it seems that all teams are having difficulty finding volunteers the regional Cert meetings will take place quarterly though the year, which I have planned on attending.

Also official word back to proceed and use funds of the EMPG grant, which is to purchase a another storage container so that will be occurring in the next few months.

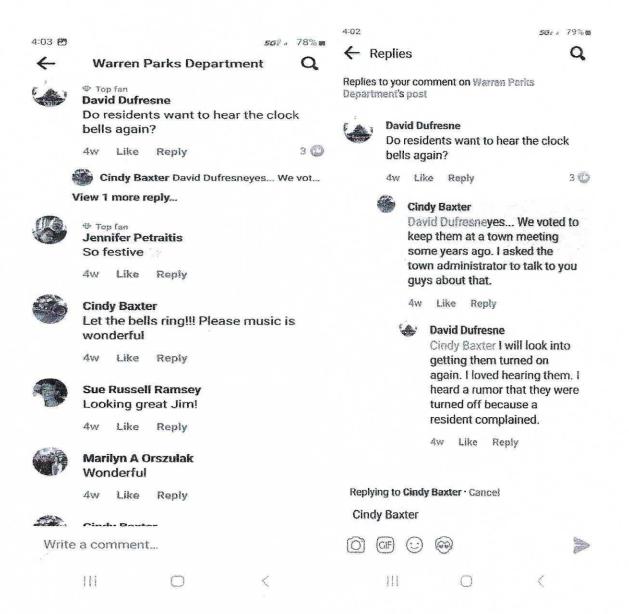


OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General One Ashburton Place Boston, MA 02108

Please note that all fields are required unless otherwise noted.

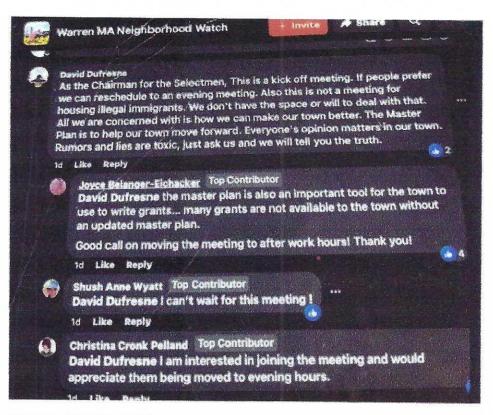
Your Contact Information:		
First Name: Peter	Last Name: Krawczyk	
Address: 21 School Street PO Box 39	98	
City: Warren	State: Ma, Zip Code: 01083	
Phone Number: 4134365457	Ext.	
Email: peterkrawczyk@comcast.net		
Organization or Media Affiliation (if a	ny):	
Are you filing the complaint in your capacity as an individual, representative of an organization, or media? (For statistical purposes only) Individual		
Public Body that is the subjec	t of this complaint:	
City/Town County	Regional/District State	
Name of Public Body (including city/ Warren Board Of Selectmen town, county or region, if applicable):		
Specific person(s), if any, you allege committed the violation: Chairman of Selectmen Board D, avid Dufrense, Selectmen Derick Veliz and Selectmen Richard Eichacker		
Date of alleged violation: 1-19-2024	<u> </u>	



Postings from Warren Parks Department around 1-17-2024?

This one of the Postings from Warren Neighborhood Watch on Facebook 1-19-2024 Selectman Veliz is shown as Administrator or Page and record keeper

418 1 7 1





Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

I am filing an Open Meeting Law complaint that involves the Warren Board of Selectmen.

The Chairman of the Selectmen is posting on a private Facebook page and engaging with the followers on Town business that comes before his Board. My Open Meeting complaint is due to the postings of a master plan meeting. These Postings by Selectmen Dave Dufresne took place around 1-19-2024. Chairman David Dufresne did these postings on a Facebook page that is owned or run by one of the other Selectmen, his name is Derick Veliz, it is called Warren Neighborhood Watch. Mr. Dufresne posted on this private site his comments representing the Chairman of Selectmen, I believe the comments were meant for the other Board members. The Chairmans comments on illegal immigrants were never discussed at a Selectmen's meeting before he shared them with followers that day including Mr. Veliz. I believe these postings on Mr. Veliz website was meant for a select group. The Chairman chose to discuss his meeting with the followers before it went public. The Chairman also used this website to reschedule the Master Plan meeting date and time to please the group. Warren has a process to post meetings and this is not one of them. I watched the Selectmen's meeting from 12-21-2023 to see how the Board voted on agenda Item no. 5. This had to do with turning on the sound for the old Town Hall Clock Tower. When watching the meeting on YouTube, I heard the Chairman talking about engaging with the public prior to the meeting and asking them if they wanted to hear the chimes again and he also said that lots of residents wanted them back on. Next, I requested the public records to see what information had been submitted to the Town that supported what the Chairman talked about at the meeting. What I received back on 1-17-2024 was a copy of some Facebook postings done by the Chairman. There were no dates or times on the postings and nothing documented to show that they were submitted as records to the Town. The comments on the posting made by the Chairman did show him discussing this before the meeting took place. This took place on Warren Parks Department Facebook page that is alleged to be run by Selectmen Veliz. When the Chairman brought up this at the meeting on 12-21-23, Mr. Eichacker never asked any questions about who the residents were or what they said. I believe he already viewed the illegal postings from Mr. Dufresne. This proves the Facebook postings are a pattern the Selectmen have adopted. The Warren Board of Selectmen are paid employees of the Town of Warren. Not only are the Selectmen Violating the Open Meeting Law they are Violating the Town of Warren Personal By-Law under Social Networking Policy. The Selectmen are paid employees of the Town. Recently the Selectmen just revised the by-law on November 16, 2023. I have postings to support my complain that the Chairman is violating the OML by using social media sites to communicate with the other board members.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

First I want Mr. Veliz to stop allowing other Selectmen to post on all his many sites to prevent a quorum from happening. Second The Selectmen should not be allowed to use the Town seal on a private website run by a sitting Selectman. Third Town Facebook page should be run by a third party.

Fourth Selectmen must obey their own Social Networking Policy.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of may knowledge.

THIS IS TO REPLACE 2-6-2024 FILTING WITH CORRECTION.

Date: 2 - 8 - 2024

For Use By Public Body
Date Received by Public Body:

For Use By AGO
Date Received by AGO:



BOARD OF SELECTMEN MEETING

CHARLES E. SHEPARD MUNICIPAL BUILDING

DATE:

2/15/24

Attendee	Jim McKeon	Attendee:
Attendee:	Jim McKeon	Attendee:
Attendee:	Adan Lavori	Attendee:
Attendee:	Adan Lavoie Gerry Millette Lay Kapaco	Attendee:
Attendee:	Lay Kopaco	Attendee:
Attendee:		Attendee:
Attendee:	·	Attendee:
Attendee:		Attendae