

**MEETING MINUTES
BOARD OF SELECTMEN
May 27, 2020**

Consistent with guidance issued by Governor Baker on March 12, 2020 suspending certain provisions of the Open Meeting Law due to COVID-19, this meeting was held remotely using Zoom technology, Meeting ID 965 0635 1439.

At 6:30 PM Chair Robyn Hunter called the meeting to order with members John Jeffries and Robert Springett present. Also in attendance were Christopher Dwelley, Town Administrator; Katelyn O'Brien, Assistant Town Administrator, and Mona DiSciullo, Administrative Assistant.

ATTENDEES: Gerry Clarke, Dr. Steve Kruskall, Dr. Kay Petersen, Dover Board of Health; Town Clerk Felicia Hoffman; Town Moderator Jim Repetti; Assistant Town Moderator Dave Haviland; Town Counsel Nina Pickering-Cook, Anderson Kreiger; Town Accountant Kathy LaPlant

PRESS: None present.

Citizens' Comments

There are no citizens' comments.

I.1 Town Meeting Discussion

The Selectmen continued the discussion started at their May 21, 2020 meeting regarding the possibility of rescheduling the June 1, 2020 Town Meeting to late June and the best way to move forward with the Meeting to make certain that all safety protocols will be in place to reduce the risk of possible COVID-19 exposure and ensure the health and well-being of Dover's citizens. It was determined at tonight's meeting that Town Meeting will be held on June 22, 2020, and Mr. Repetti will send a Moderator's Declaration of Recess and Continuance to the Commonwealth informing them of the decision to change the date.

The State legislature is considering adoption of a reduction in Town Meeting quorum requirements which, in Dover's case, would reduce the quorum requirement to 18

registered voters from 175. Concerns were raised about the possibility of not meeting the quorum requirement if the State does not pass the quorum reduction, and at their May 21, 2020 meeting, the Board requested that Town Counsel file an emergency action in court to reduce the quorum necessary to hold Town Meeting. As of this meeting, the State has not yet adopted the reduction. Town Counsel Nina Pickering-Cook reported that she prepared for submittal to the court a Verified Complaint seeking an order granting limited relief from the 175 registered voter quorum requirement to 18 registered voters.

With regard to Town Meeting participants wearing masks at Town Meeting, Ms. Pickering-Cook relayed that the Elections Division of the Secretary of State's office does not believe it would be lawful to force participants to wear masks and that the Town cannot prohibit citizens from entering the meeting or voting because they are not wearing a mask. She suggested that masks be available upon entering the meeting or that a separate area be designated for those not wearing masks. Additionally, there was a brief discussion regarding what other towns have planned for their Town Meetings.

Speaking solely from a position of public health and safety, the Board of Health (BOH) expressed its unanimous opinion about two possible alternatives for Town Meeting. The first is to hold outdoors a Town Meeting to pass the budget. This option would bear some risk that the BOH feels is not insubstantial but cannot be quantified. The second option is to defer the Meeting which would pose no risk. While the Selectmen are quite concerned about the safety of the residents, they are not in favor of deferring the Meeting to a later date as unknown future conditions might prove to be more difficult. Ms. Hunter noted that a Town Meeting is necessary to pass the budget and efficiently and effectively continue to provide services to the citizens, and the Town will follow the guidance of the state and other health care professionals to conduct a Meeting utilizing safety precautions and procedures. Precautions would include seating placed 15 feet apart, the use of safety shields, and sanitization of microphones after each use.

The Selectmen are in agreement that it would be beneficial to the Town to hire a safety consultant, perhaps an epidemiologist, to provide guidance on conducting a safe Town Meeting and ensuring that all safety precautions are in place. Mr. Repetti and Mr. Dwelley will work with Dover resident, Dr. Kevin Ban, to engage the consultant.

I.2 FY21 Town Budget Discussion

In order to keep the length of Town Meeting to a minimum, only those Warrant Articles which are essential to continue Town operations in FY21 will be voted on. If the new budget is not passed before June 30, 2020, state law requires that the Town transition to a 1/12 budget which means that Dover will divide its FY20 budget by 12 months, craft a new monthly budget based on those figures, and submit documentation monthly to the State for approval to allow a base level of service to continue. Operating under a 1/12 budget will result in added work flow as a new process will have to be put into place, it will negatively impact the Town's ability to continue and/or undertake new projects or efforts, new staff cannot be hired, and scheduled salary increases would be put on hold. The regional schools must also follow the same process as they, too, are funded by Town Meeting. There are some exceptions to the 1/12 budget as it relates to obligated

Board of Selectmen Open Session Meeting Minutes
May 27, 2020

assessments associated with pensions, increases in health insurance or previously approved collective bargaining agreements. A question was raised about the budget for new teachers' contracts, and Mr. Dwelley will examine that issue further.

Mr. Dwelley prepared and presented a slideshow entitled FY21 Budget Overview COVID Response which provides an overview of the following budget elements:

- Major cost increases (pre-COVID) of the operating budget
- New cost increases (pre-COVID)
- Summary budget actions in response to COVID
- Local receipts
- State aid
- Taxpayer Relief

Mr. Dwelley indicated that the Town's finances have been managed very well over the years, and that Dover is in a good financial position which allows the community flexibility and options during uncertain times in the future.

The entire slideshow can be viewed on the Town's website at www.doverma.org under the Town Meeting page.

One item discussed that was not listed on the meeting agenda was an incident involving candidates running in the June 15, 2020 election who were campaigning at the Transfer Station. There were questions raised about the legality of campaigning and concerns that individuals were not following COVID-19 safety protocols. The facts surrounding this incident are not clear, but the end result is that Town Clerk Felicia Hoffman will issue a set of guidelines and protocols for proper campaigning. The guidelines will be sent to those running for open positions and will be on the Town's website at www.doverma.org.

Adjournment

At 8:39 PM, Ms. Hunter moved to adjourn, seconded by Mr. Springett; it was unanimously approved by roll call vote.

DOVER BOARD OF SELECTMEN

Robert Springett, Clerk