

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, JUNE 24, 2019 6:30 P.M.
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.**

Present:

Audrey LaBrie, Chairwoman
Michael Barbaro, Vice-Chairman
Barbara Anderson

Keith R. Hickey, Town Manager
Linda Daigle, Executive Assistant
Lindsay Kuchta, Recording Secretary

List of Documents Presented at Meeting:

- FY20 Senior Work Off Program Information Sheet (filed)
- Public Hearing Notice FY20 National Pollutant Discharge Elimination System (filed)
 - Winchendon Stormwater Management Program (filed electronically)
 - Winchendon Stormwater Program Power Point Presentation (filed)
- Notice of Vacancies (filed)
- Solicitation/Hawker/Peddler Permit Application- Solar on Earth- Daniel Bolton (filed)
- Change of Officer/Directors All Alcoholic Beverages- The Snowbound Club, Inc. (filed)
- Mass Fisheries and Wildlife Option to Buy-Fee Simple Form- Sale of Town Property, Sibley Road (filed)
 - Consensual Order of Taking
 - Acceptance of Full Settlement
 - Disclosure Statement (filed)
- Proposed Design of Commerce Drive Extension (filed)
 - Letters of Support for MassWorks Grant (filed)
- Town Manager Memo Dated 6/18/19 Re. Consideration of Tentative Collective Bargaining Agreement (attached)
 - Draft Collective Bargaining Agreement between the Town and AFSCME Representing DPW (attached)
- Report of the Town Manager (attached)
- Minutes approved:
 - Monday, May 23, 2019 Regular Meeting

LaBrie called the meeting to order at 6:30 P.M. followed by the Pledge of Allegiance to the Flag of the United States of America.

No one announced they were audio recording the meeting this evening.

1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:

- 1.1. FY20 Senior Work Off Program Applications Available- LaBrie noted applications for the Senior Work Off Program are now available; the program has been approved for an additional year for those who qualify to work and offset the cost of their taxes.

Anderson thanked the Recreation Commission for organizing the Summer Concerts in the Park at GAR Park. She looks forward to each Friday as the bands are good and it is

always a good time and she encourages all to come down to the park and listen to the concerts.

LaBrie also mentioned there have been a lot of ribbon cuttings in town lately, including Cailte Kelley's office of Edward's Jones, LaPointe Real Estate and Law Office and The Chapel Downtown. She also noted the Summer Solstice came off without a hitch; we had beautiful weather that day.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS:

Steven Girard of Highland Street came forward and stated he has an issue with water flooding into his basement and has resorted to redirecting the water to the street. Since the redirection of water flow, Mr. Girard was notified that it is against the Town's bylaws to do so. He is looking for a resolution to the issue as the water flowing from his yard does not go into the sewage drain, therefore it is not going through the Town's Waste Water Facility. He voiced concern of an excess amount of mosquitos due to the moisture and the effect it may have on the children in the neighborhood.

LaBrie replied to Mr. Girard, stating the Board cannot give him an answer tonight, to which he replied what should he do in the meantime?

Hickey made Mr. Girard aware that the Town would contact him tomorrow to work on finding a solution.

Alford Holmes, property manager of a building on Lincoln Avenue Extension, came forward to make the Board aware of an issue with who he believes to be employees of a business in the area speeding on the street around the hours of 6:00 a.m. and 12:00 p.m. He has spoken to the police about it but nothing has been done. Hickey stated he will speak with Chief Walsh and ask that the issue be addressed.

Mr. Holmes also noted some storm water work was done many years ago on Lincoln Avenue Extension, but the work was never finished, creating wetlands in the area. Hickey asked for the location of this issue, to which Mr. Holmes replied it is right after the properties he manages. Hickey said he would talk to DPW Director Al Gallant and do some homework to find out why the project was not finished.

LaBrie asked if there were any more Public Comments, to which none were heard.

3. PUBLIC HEARINGS:

3.1 Presentation of FY20 National Pollutant Discharge Elimination System (NPDES) Permit for the Town of Winchendon- Barbaro read the Public Hearing Notice.

Barbaro moved to open the public hearing, seconded by Anderson with a vote of all ayes.

DPW Director Al Gallant came forward and introduced Emily Scerbo of Tighe and Bond, who was present to answer any questions that might be had regarding the MS4² Stormwater System.

Ms. Scerbo began, noting due to the Town's census, we now require the permit and regulating. The purpose of this meeting is to provide an overview of the EPA's stormwater program, and discuss the Town's Notice of Intent and Stormwater Management Plan. She continued with a presentation to better familiarize the Board of what stormwater is, the effects it has, and how it would be managed. There are six (6) minimum control measures (MCMs) as follows:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination (IDDE) Program
- Construction Site Stormwater Runoff Control
- Stormwater Management in New Development and Redevelopment
- Good Housekeeping and Pollution Prevention.

Ms. Scerbo added that certain water bodies have special requirements; everything drains to the Connecticut River Basin.

Hickey asked if the Town decided to not comply, what the consequences would be. Ms. Scerbo replied the Town would initially be flagged for not submitting paperwork, which would then lead to a full EPA audit at some point, in which the EPA would come in and ask a number of questions about who is doing what and at that point could also issue enforcement action. Worst case scenario, it could be brought to court, or otherwise issue fines and order the work to be done faster than initially required. She recommends the town just stay off the radar and stick to the reports.

Hickey asked what the rules were regarding sump pumps, water being discharged into the street and or the sewage system. Ms. Scerbo stated it is a bit of a gray area; uncontaminated water going into the drainage system is okay, but perhaps counters the Town's code.

LaBrie asked how water is proven to be uncontaminated to which Ms. Scerbo replied part of the program the Town is required to visit the outfalls, which is the end of the pipe, and see if there is any flow and test it for pollution. If any contamination is found, it is tracked up stream. From that point there are laws in place that vary as to how the Town handles the situation.

Anderson asked if water is pumped outside of a home and just naturally flows into a drain, how is it tracked, to which Ms. Scerbo replied it is extremely difficult to do so, but it can be tracked upstream.

Barbaro mentioned the use of cameras to track the flow to which Ms. Scerbo noted that is one way to handle it, water can also be tested in increments up stream as well; we typically try to price out our options with the EPA to ensure it is the least cost.

LaBrie asked where the funds would be budgeted to which Hickey replied the General fund in the DPW. Ms. Scerbo added some communities in Massachusetts have a charging fee system that charges a flat fee per parcel to work around proposition two and a half. It is an option allowed under Massachusetts State law, and could be an enterprise fund. Hickey asked Ms. Scerbo if she could please provide AI with all of the

communities that do so, to which Scerbo replied she can do a whole summary on who is charging what fees and what the structure is like. Each community differs as their needs are different.

Anderson commented that is a tax to which Gallant replied it is possible that we are spending hundreds of thousands of dollars, he just wants them to be aware of all scenarios.

Barbaro moved to close the public hearing, seconded by Anderson. With a vote of all aye the hearing closed at 7:05 p.m.

Gallant noted the Town will have to sign something by June 30th. LaBrie then asked if there was anything formal needed to which Hickey replied he asks the Board authorize him to sign the necessary documents.

Barbaro moved to authorize the Town Manager to sign the necessary documents, seconded by Anderson with a vote of all aye.

4. APPOINTMENTS/RESIGNATIONS:

4.1. FY20 Board of Selectmen Appointment Renewals Continued- LaBrie noted Kyle Bradley has not notified the office if he was interested in being reappointed or not; the position will be considered vacant as of July 1st.

4.1.1. Re-appointment of Russ Gaulin to the Open Space Preservation Appraisal and/or Survey Revolving Fund Advisory Committee- LaBrie stated the next item is regarding the reappointment of Russ Gaulin to the Open Space Preservation Appraisal and/or Survey Revolving Fund Advisory committee.

Barbaro moved the Board of Selectmen approve the re-appointment of Russ Gaulin to the Open Space Preservation Appraisal and/or Survey Revolving Fund Advisory Committee, seconded by Anderson with a vote of all aye.

LaBrie thanked Mr. Gaulin for his willingness to serve on the Committee.

4.2. List of Board of Selectmen Committee Vacancies- LaBrie read the vacancies and reminded anyone who is interested in any of the vacancies to please reach out to the Town Manager's office or go on the Town's website to fill out a form.

5. PERMIT/LICENSE APPLICATIONS:

5.1. Solicitation, Peddler Permit for Door to Door Sales – Daniel Bolton for Solar On Earth- John Armand of Solar on Earth came forward on behalf of Daniel Bolton. LaBrie noted Mr. Bolton was looking for a door to door permit to which Mr. Armand added the company gives subscriptions to solar farm developments; this gives homeowners the opportunity to invest in solar without having to install anything on their property.

Barbaro noted the business hours listed on the application are Monday through Saturday from 10:00 a.m. to dusk, to which Hickey asked if the Board could move to better define when dusk is. Mr. Armand stated the company does not go door to door after 8:00 p.m., and they are happy to abide by whatever the town has in place as far as regulations.

Barbaro moved the Board approve the Hawker's/Peddlers Solicitation Permit for Daniel Bolton, representing "Solar on Earth" with hours being Monday through Saturday 10:00AM to dusk and no later than 7:00PM and to notify the Police Department when he will be in Town soliciting each day, seconded by Anderson.

LaBrie asked if the company will be identified on vehicle to which Mr. Armand replied yes.

With a vote of all aye the motion carried.

LaBrie noted there was one comment from the Fire Chief asking if there was a different way to get word out to townspeople making a suggestion to set up a fall festival where vendors can set up a booth.

- 5.2. Change of Officers/Directors All Alcoholic Beverages Club License – Snowbound Club, Inc. - Dean Sweeney of the Snowbound Club came forward and noted the Club has updated their Board Officers, the paperwork took a little while to get together but the ladies in the Town Manager's office helped out.

LaBrie noted there were no comments from the department heads regarding the application.

Barbaro moved the Board of Selectmen approve the Change of Officers/Directors for the All Alcoholic Beverages Club License of the Snowbound Club, Inc. and to forward to the ABCC for their review and approval, seconded by Anderson with a vote of all aye.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENT

- 6.1. Update from Treasurer/Collector Donna Spellman- Ms. Spellman was unable to attend the meeting this evening; her update will be had at an upcoming meeting.

7. NEW BUSINESS:

- 7.1. Sale of Town Property to Mass. Fish and Wildlife- James McCarthy came forward as an agent for Mass. Fish and Wildlife, noting he had approached the Town about acquiring the property, and he wanted to have it squared away before the end of the fiscal year. The parcel being discussed tonight is at a value of about \$9,000.

LaBrie added the property is located on Sibley Road.

Barbaro moved the Board of Selectmen approve the sale of town property located on Sibley Road, Tax Map 4-0-100 to the Commonwealth of Massachusetts, Division of Fisheries and Wildlife in the amount of \$9,000, seconded by Anderson with a vote of all aye.

Hickey asked if the Board could take a two minute break to allow the documents be signed and notarized.

Barbaro moved for a two minute recess, seconded by Anderson. With a vote of all aye the Board entered recess at 7:20 p.m.

The Board reconvened at 7:22 p.m.

- 7.2. MassWorks Grant Application for Hillview Business Park- Hickey noted the Town has been working with an engineering firm at Hillview Business Park and looking to develop on the parcel for four or five years. There have been a number of interested parties willing to go up on the property, one of which recently walked away. The Winchendon Redevelopment Authority (WRA) has been working with an organization for about six months, doing some due diligence to locate a growing facility on the Hillview Business Park property. The Board has been provided with a sketch of the subdivided business park; a road will come from an existing cul-de-sac and to the cultivation facility. Since meeting with the growing facility, a plumbing business has also expressed interest in locating at the Park and would bring two to three jobs to the community. The plumbing facility is about a \$600,000 cost to build, where the cultivation facility is much more substantial at a \$12,000,000 cost to build as well as providing around sixty jobs for the community. The cultivation facility would be built grade A, and potentially sold down the road to a major manufacturing company.

Hickey continued, stating we are trying to create jobs with new business at Hillview Business Park; in particular, there are no requirements for the MassWorks Grant. Both interested businesses have stated they would not be able to follow through without help from the grant. The grant would start the road to Town standards, as well as extend water property lines and sidewalks. Barbaro noted the proximity of MYLEC and the frequency of the presence of minors, and asked if the zoning or distance from MYLEC to the cultivation facility would be an issue. Hickey replied he has spoken with Mr. Laperriere on the issue, and the owners are also willing to meet with Mr. Laperriere to discuss the issues. The WRA is asking the Board to endorse and authorize the signature of the MassWorks Grant in the amount of \$2,000,000.

After further discussion, Hickey added in talking to the firm who has a relationship with MassWorks, they are looking for commitment letters and a more binding and strong commitment. In the case that one or both of the businesses back out, the Town would not be liable to pay back the grant.

Anderson moved the Board of Selectmen support a MassWorks Grant application for the extension of Commercial Drive within the Hillview Business Park, seconded by LaBrie.

Hickey stated he believes this will be signed by Board members; we do have the authorization to sign prior to submission. LaBrie noted this will not come before another Board meeting, but based on the vote this evening we are moving forward with it. LaBrie asked if there was any further discussion, to which none was heard.

By a vote of all aye the motion carried.

- 7.3. Consideration of Tentative Collective Bargaining Agreement - Town of Winchendon and AFSCME Representing DPW- Hickey noted the DPW is the last of the five

agreements that is being brought forward; it is consistent with the other four three-year contracts. All employees have been placed in the wage range, all legal changes have been addressed, and health insurance has been amended to MIIA from the GIC. There is also a section benefit to the DPW employees establishing winter hours. This will entail of two employees who will work 3:00 p.m. to 11:00 p.m. Monday through Friday for sand and salt. In the case that there is no need for sanding or salting, they have plenty of other tasks to address at the garage.

It was discussed that this change would help decrease the need to pay for overtime and keep the DPW employees better rested for when they are called in to plow. Employees who work this shift will be voluntary, and those who do work the shift will receive a stipend.

After further discussion the Board made a motion.

Barbaro moved the Board of Selectmen approve the Collective Bargaining Agreement between the AFSCME DPW Union and the Town of Winchendon as presented this evening for the period July 1, 2019 to June 30, 2022 seconded by Anderson all aye.

8. OLD BUSINESS:

- 8.1. Mellon Rd. Follow-up Meeting regarding Status of Road Moving Forward- This agenda item was passed over this evening.

LaBrie noted the staff in the Town Manager's office worked hard to put all of the information together for the packet.

Anderson suggested a meeting be had just to discuss Mellen Road, judging by participation in past meetings. To put other business on top of that can be overwhelming. LaBrie replied she is not crazy about the idea, but does recognize it gets involved and there are a lot of people who want to speak. Barbaro would like to leave decision for next Board coming in as they will be involved as well.

9. TOWN MANAGER'S REPORT:

1. Financial Updates-

- a. There are no financial updates.

Hickey added there is a fairly significant amount of cash expected to lapse into Free Cash.

2. Personnel Updates-

- a. The deadline to submit resumes and letters of interest for the Town Clerk position was June 20th. I have asked Judy LaJoie and Donna Spellman to interview the candidates chosen by Judy, Donna and I and forward the candidates they recommend to me. I will then interview the recommended candidates and offer the position to the person I feel is most qualified.

Hickey added the job will be offered in July, he wants to ensure the employee coming in has enough time with Ms. LaJoie to get updated on how the office works. LaJoie is fantastic, she has spoken of her willingness to train before she retires as well as come back around elections to make sure things are running smoothly.

- b. Transfer Station Foreman Mark Breau has resigned effective June 28th.

Hickey noted Mr. Breau has done a really nice job; he is leaving to be a correction officer. We would like to congratulate him on his new job. Anderson and LaBrie both agreed they would miss him; Hickey added he has represented the town in a very positive light.

3. Project Updates-

- a. Responses for a Request for Qualifications seeking an Owners Project Manager (OPM) to assist in the future development of the Winchendon Community Park closed Monday, June 17, 2019 at noon. Three firms submitted proposals. Members of the Winchendon Community Park Committee will rate the proposals and interview the firm's in the near future in hopes to choose a firm.

Hickey added three bids were received on time, and one after the deadline. Members of a committee will help to review and determine who should be hired.

- b. A committee made up of Selectwoman Anderson, Finance Committee member Husselbee, Town Manager Keith Hickey, Fire Chief Tom Smith and Fire Lieutenant Bill Davis interviewed three architectural/engineering firms that responded to the Town's Fire Station Feasibility RFQ. The committee voted to contract with Schwartz/Silver to perform the study. The first meeting with Schwartz/Silver is scheduled for July 16th.

Hickey then noted all three applicants did a nice job; the town chose to reach out to Schwartz/Silver.

4. Miscellaneous Updates –

- a. The Town was notified in October, 2018 that the Commonwealth of Massachusetts had awarded a \$140,000 grant for Whitney Pond Dam repairs. Those grant funds had not been received as of the first of June. An inquiry about when the funds would be distributed was made to Senator Gobi's office in early June. On June 18th a representative from Senator Gobi's office called to inform the Town Manager the grant was actually for the Whitney Pond Dam in Ashburnham, not Winchendon.

Anderson clarified that after speaking with Representative Zlotnik, she was made aware that both Ashburnham and Winchendon have received the

grants, only coincidentally do they both have a Whitney Pond Dam. Winchendon's check is just awaiting the governor's signature.

Hickey continued with a few additional comments. The Winchendon Community Park was recently awarded funds from the Robinson-Broadhurst Foundation to purchase a piece of land next to the park, but after discussing the sale with Legal Counsel, the Town was made aware that the purchase of property must be approved at Town Meeting. At this time, the transaction is on hold.

The Robinson-Broadhurst Foundation also granted the DPW half of the requested \$250,000 to replace the roof at the garage. Students from Monty Tech came to look at the project but it is too big of a scope for the work they do. Gallant approached Hickey, and thought the purchase of a new bed for the truck that holds the sander in the winter would be a good way to use the funds, along with the purchase of a new truck as one gifted by the Housing Authority is not in great shape. The Board further discussed the need of a new roof at the DPW garage, and Hickey noted the School, Library, Police and Fire Department needs have all been addressed it is time to address the DPW's needs.

Hickey then asked the Board to consider supporting his request to payout five days of his vacation time rather than him take it as he has attempted to but things have come up at work that haven't allowed him to use his time. He also asked to authorize the Board chair to sign the transfer form when it is prepared.

Barbaro moved to payout five days of Town Manager Hickey's vacation time and to authorize the Chairman of the Board to sign the form when it is prepared, seconded by LaBrie by a vote of all aye.

A conversation was had with the representative who worked with the EPA regarding the removal of a building on Lincoln Ave Extension; there has been no success with getting a response from the owners on record. Written permission from the owners is required for the EPA to move forward with the demolition and cleaning up of the site. The work can be done this summer permitting written permission is received; the EPA is not looking for Town responsibility or reimbursement.

In closing, Hickey noted he attended an Opioid Litigation meeting last Wednesday; it was interesting with a lot of information. The purpose of the meeting was to update all of the clients. The confidential letter received has been provided for the Board.

10. MINUTES:

10.1 Monday, May 23, 2019 Regular Meeting-

Barbaro moved to accept the minutes of Monday, May 23, 2019 as presented, seconded by Anderson with a vote of all aye.

10.2 Monday, June 3, 2019 Regular Meeting-

LaBrie noted the minutes of Monday, June 3, 2019 would be brought before the Board at the next meeting.

11. COMMUNICATIONS: There were no Communications this evening.

12. **AGENDA ITEMS:** LaBrie noted the Board's next meeting is July 8, 2019 at 6:30 p.m.

LaBrie stated Mrs. Rachel Grout passed at the end of last week, the calling hours are tomorrow from 4:00 p.m. to 8:00 p.m. at Stone – LaDeau Funeral home and Funeral Services are Wednesday at 10:00 a.m. She was glad they were able to have her before the Board to celebrate her birthday and her achievements.

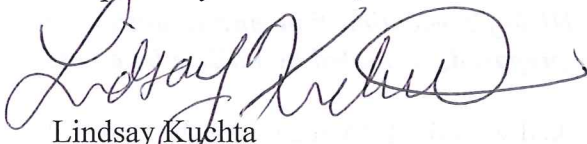
Lastly, two new members will be present at the next meeting, and she personally wanted to thank Barbaro and Anderson for the last few months with just the three of them; it has been a challenge but we only had to reschedule once. She is also very pleased to hear there were so many applicants for the Town Clerk position. She remembers the stigma that the Town was fearful of gaining when the deficit hit, but it is great to see applicants and volunteers to jobs and RFP's.

13. **EXECUTIVE SESSION:** There was no Executive Session held this evening.

14. **ADJOURNMENT:**

Barbaro moved to adjourn, seconded by Anderson. With a vote of all aye the meeting adjourned at 8:18 p.m.

Respectfully Submitted,



Lindsay Kuchta
Recording Secretary