

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MEETING MINUTES  
MONDAY, APRIL 26, 2021  
Town Hall, 2<sup>nd</sup> Floor Auditorium  
109 Front Street, Winchendon, Mass.**

Present:

Michael Barbaro, Chair  
Rick Ward, Vice Chair  
Barbara Anderson  
Audrey LaBrie  
Amy Salter (remote participation)

Stephen Delaney, Interim Town Manager  
Linda Daigle, Executive Assistant  
Taylor Tower, Administrative Assistant

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List of Documents Presented at Meeting:

- Application from Camille Hart to Serve on Cultural Council (filed)
  - Letter of Support from Cultural Council Chair (filed)
- Application from Molly Velasco to Serve on Cultural Council (filed)
  - Letter of Support from Cultural Council Chair (filed)
- Application from the Snowbound Club to Change Manager/Officer/Director (filed)
- Application from the Winchendon Community Park Programming Committee for “Picnic in the Park Series” (filed)
- HEAL Winchendon Heart & Soul Grant Resolution Information (filed)
  - Draft Resolution (filed)
  - HEAL Winchendon Monthly Newsletter (filed)
- Mellen Road Roadway Acceptance Plan dated April 23, 2021 (attached)
  - Mellen Road Action Steps to Accept Road (attached)
- Draft Warrant for the May 17, 2021 Special and Annual Town Meeting (attached)
- Request for Written Consent for Transfer of Not Your Grandpa’s Tobacco (filed)
  - Draft Host Community Agreement (filed)
- April 22, 2021 Town Manager’s Report (attached)
- Minutes to be Approved:
  - April 5, 2021 Special Meeting Minutes
  - April 7, 2021 Special Meeting Minutes
  - April 7, 2021 Executive Session Minutes
  - April 12, 2021 Executive Session Minutes

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Chairman Michael Barbaro called the meeting to order at 6:30 p.m. All rose for the Pledge of Allegiance. Barbaro asked if anyone was video or audio recording, to which there was no response. He noted that Salter was present via remote participation.

**1. SELECTMEN’S COMMENTS AND ANNOUNCEMENTS**

- 1.1 Annual Town Elections May 3, 2021 – LaBrie reminded the public that Town Elections will be held at the Old Murdock Senior Center located at 52 Murdock Avenue on Monday, May 3, 2021 from 8:00 a.m. to 8:00 p.m. She asked everyone to remember to follow the safety and social distancing measures that will be in place.

- 1.2 Master Plan Implementation Committee – Ward said the Board is seeking members to serve on the new Master Plan Implementation Committee; which will consist of five to seven members. There have currently been four letters of interest, and the Selectboard is looking for a few more people that might be interested to serve on this committee. He asked that anyone who might be interested please send a letter of interest to the Town Manager's office at 109 Front St., or drop it off in the drop box at Town Hall or fill out the online application form on the website.

Barbaro reminded the community that the Annual Town Meeting will be held on May 17<sup>th</sup>. Murdock Middle/High School is already set up, with 160 seats socially distanced from each other.

2. **PUBLIC COMMENTS AND ANNOUNCEMENTS:** Tina Santos of 117 Mill Street reminded the Board that she is running for a seat on the Board of Health. She informed the Board that after placing her political signs on Town property, she was asked to remove them. She felt that it was unfair and asked the Board to make sure that it is enforced across the board and in a fairer manner. LaBrie informed Santos that she had been asked to take her own political signs down in the past.

It was announced that Edward Ford, Jr. of Brown Street was video and audio recording.

3. **PUBLIC HEARINGS:** None were scheduled tonight.

4. **APPOINTMENTS/RESIGNATIONS:**

- 4.1. Cultural Council Appointment – Camille Hart – Ms. Hart was unable to attend, so Barbaro read aloud her recommendation that came from the Cultural Council Chair.

**LaBrie moved the Board appoint Camille Hart to the Cultural Council with a term expiration to be June 30, 2023, seconded by Ward. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

- 4.2. Cultural Council Appointment – Molly Velasco – Ms. Velasco came forward and explained to the Board that she is a resident of Winchendon, an employee of the Winchendon School and also volunteers with HEAL Winchendon. She is excited for the opportunity to serve the Town by representing the Cultural Council. She has the recommendation from the Cultural Council Chair, Jill Sackett, for approval.

**Ward moved the Board appoint Molly Velasco to the Cultural Council with a term expiration to be June 30, 2023, seconded by LaBrie. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

5. **PERMIT/LICENSE APPLICATIONS:**

- 5.1. Change of Officers/Directors/Manager – Snowbound Club, Inc, All Alcohol Pouring Club License – Dean Sweeney, Chairman of the Snowbound Club, was present with Larry Perreault, who is the proposed new manager. Daigle clarified that this agenda item is also a change of the officers and directors of the Snowbound Club. Perreault explained that he works at the Snowbound Club and saw that they needed some additional help. He is hoping to get more business in there since COVID-19 affected their business.

**LaBrie moved the Board of Selectmen, acting as the Local Licensing Authority, approve the application from the Snowbound Club Inc. to change the officers/directors and Manager for their All Alcohol Pouring Club License located at 130 Baldwinville Rd. and to forward to the ABCC for state approval, seconded by Ward. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

- 5.2. Entertainment Permit – Winchendon Community Park Programming Committee, "Picnic in the Park" Series – Tiffany Newton, Chair of the Winchendon Community Park Programming Committee, came before the

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Board to speak on behalf of the Committee. The Committee is hoping to host monthly events under the title “Picnic at the Park” – to be hosted May 1<sup>st</sup>, June 5<sup>th</sup>, July 10<sup>th</sup>, and August 14<sup>th</sup>. Ward noted that he understands that the Committee will be following all relevant COVID-19 guidelines, but asked if there are any sanitation plans. Newton answered that after speaking with the Board of Health agent, the goal is to sanitize all shared items before, during and after their use. She said she is happy to comply with whatever the Board is comfortable with. LaBrie asked Newton to keep in close contact with Jim Abare, the Board of Health Agent, as the COVID-19 guidelines could change between now and each of the events.

**Ward moved to approve the Entertainment Permit for Winchendon Community Park Programming Committee, “Picnic in the Park” Series to be held on May 1st, June 5th, July 10th and August 14th and advise the applicant that the most recent order/phase from the Governor’s office pertaining to the COVID-19 pandemic is followed and adhered to with the understanding that the event may be cancelled if determined by the Board to be in the community’s’ best interest due to the current status of the pandemic. This motion was seconded by LaBrie and with a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

## **6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS:**

### **7. NEW BUSINESS:**

7.1. Winchendon HEAL Presentation Seeking resolution Supporting the Community Heart and Soul Grant Program - Angelina Dellasanta and Molly Velasco came before the Board to speak on behalf of the initiative for Winchendon HEAL. They are looking for support for a grant to the Community Heart and Soul program. To qualify, the program requires BOS to adopt the “Resolution Expressing the Request for Support from the Town of Winchendon to the Initiative, Heal Winchendon Regarding the Community Heart and Soul Grant.” The resolution is on page 3 & 4 of the Heart and Soul information page. Dellasanta introduced herself, saying she is a sophomore in high school and is here tonight to represent HEAL Winchendon. She described HEAL as a community driven organization that strives to provide support and assets to all of the population. Velasco continued, saying that they strive to address the needs of minority populations and address systematic poverty while allowing access to resources. They are also taking the initiative to get creative in how to showcase local businesses in Town. Ward asked if they had contacted the Library, to which Velasco responded that HEAL is interested in involving them as well. LaBrie asked if there is a process in place to track grants, to which Velasco answered that they do have a volunteer to handle financial aspects and monitor grants. Anderson wished to add that their street pole banner project runs from now until June 1<sup>st</sup>, so all the art students that wanted to be involved have time to submit their art.

**LaBrie moved the Board adopt the “Resolution Expressing the Request for Support from the Town of Winchendon to the Initiative, Heal Winchendon Regarding the Community Heart and Soul Grant as presented this evening, seconded by Ward. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

7.2. Mellen Road Acceptance Warrant Article – The Mellen Road warrant article that calls for the acceptance of the road needs to have a couple procedural steps implemented in order for any vote on the article at Town Meeting be valid. First, this evening, the Board of Selectmen are asked to vote to refer the plan for the road to the Planning Board for review and recommendation. Secondly, also this evening, the Board of Selectmen needs to set a special meeting to receive the recommendation from the Planning Board relative to the plan. Anderson asked why this is necessary to accept this topic as an article for Town Meeting. Delaney answered that these steps have been advised by Town Counsel, to which Anderson replied that she believes Mellen Road is not a subdivision, it is an “ancient road”, which she described as a term for roads built prior to the 1850’s. She articulated that she is concerned that residents will be confused by the number of Mellen Road articles on the warrant. Delaney described this article as a response to what was requested by residents last week, and they chose to also submit a Citizens Petition, as well. This article was intended to be an accommodation to the residents by the Board. Anderson contended her belief that Mellen Road has always been a Town road, saying that “Approval Not Required” was issued to homes on this road. She said that this



is a case of sloppy paperwork by past employees and she would like this resolved as soon as possible. She also said that she was told by a past Public Works employee that he built the road and that the only reason there was not a formal acceptance is because it is an “ancient road”. LaBrie acknowledged arguments on both sides, but said that she views this as the best way to officially resolve this so that it is on record that Mellen Road was accepted. Anderson wanted the Board to understand that by doing this, it sends the message that legally this was not a Town road. Barbaro said that while this was at one time an accepted road, it was discontinued in 1917 and was never accepted by the Town again. He would like to see this on the warrant so that every legal aspect is completed at Town Meeting. LaBrie asked Brian Croteau, the Director of Public Works, if accepting Mellen Road, thus adding it to the list of roads sent to Chapter 90 funds, will impact the services that Mellen Road currently enjoys. Croteau replied that the Mass. DOT states in order to have a Chapter 90 funded road, there must be a Town vote and a set of plans that show the property lines. By continuing on this process, it makes it bulletproof for his department. Anderson asked Croteau if the other roads in town that are considered ancient and never had Town Meeting approval, such as Boston Post Road, are on the Chapter 90 list. Croteau said they do not receive funding for that road right now, and it is very difficult to get someone from the State on the phone to answer these questions. He understands where Anderson is coming from with the ancient roads but he does not want to take the chance of something happening. Barbaro said he would like to see this through, and at this point, if there was a pothole on the unaccepted portion of Mellen Road, it could not be fixed without a vote of free cash at Town Meeting. LaBrie clarified that once Mellen Road is accepted and added to the list of Chapter 90 roads, then Chapter 90 funds can be expended on that road. She also explained that the State does not mandate which roads Chapter 90 funding are expended on; rather, the sum of money is granted to the Town to use at the discretion of staff and the Board. Anderson asked Croteau why she thought that only Chapter 90 funding was used to repair roads; Croteau explained that Chapter 90 funds are only used to completely repave a road. Maintenance and pothole patching comes out of his budget.

**Ward moved the Board of Selectmen approve the Mellen Rd. layout as presented this evening and forward the layout to the Planning Board for their review and recommendation and further to schedule a Special Board of Selectmen Meeting for May 5<sup>th</sup>, 2021 to receive recommendation from the Planning Board. This motion was seconded by LaBrie and with a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

Anderson asked Delaney to calculate how much Town money has been spent on the Mellen Road dispute, including legal fees.

- 7.3. Review and Vote to Finalize the Special and Annual Town Meeting Warrant for May 17, 2021 – Delaney noted the warrant needs to be finalized this evening; the Finance Committee is meeting tomorrow night to develop their recommendations, and the Board is meeting Wednesday night to develop their recommendations. The two minor changes to the warrant are Article 19, which was just discussed and Article 24, the Citizen’s Petition that has been certified by the Town Clerk. In doing her review, the Town Accountant made a couple minor housekeeping tweaks on the numbers on the budget side. Barbaro read aloud the summary of the draft warrant. Anderson noticed that Mellen Road is spelled incorrectly in Article 24, the Citizens’ Petition submitted by Mellen Road residents. Delaney answered that the Town is not allowed to amend a Citizens’ Petition in any manner, and that is how the Petition was submitted. Ward asked if the Town is aware of any impact to the tax rate incurred by Article 14, Library Repairs, and Article 15, Senior Center Repairs or are we using the reduced debt – and that when we insert these there will be a minimal impact. Delaney answered that the Town Accountant is preparing a document for the Finance Committee for tomorrow night and there would be an impact. He would provide that to them as well. Ward asked if Article 24, the Citizens’ Petition, needs to be reviewed by legal counsel, to which Delaney answered that there is no need to review it as it can’t be changed - we are obligated to put it in as it appeared in the petition. Ward asked if both Article 19 and 24 pass, which should be used. Delaney said his guess is Article 19 because of the accompanying roadway plan, but he will ask legal counsel. LaBrie questioned whether Article 24 is actually binding, to which Anderson stated her belief that it is. After some discussion, LaBrie said she will do her own research to determine.

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**LaBrie moved the Board finalize the Special and Annual Town Meeting Warrant for Monday, May 17, 2021 as presented this evening, seconded by Ward. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

**8. OLD BUSINESS:**

- 8.1. Request to Town's Written Consent for Transfer of Ownership and Control of Not Your Grandpa's Tobacco, Inc. located at 703 School St. to Izapa Stela 5 LLC - At the last meeting, the Board questioned whether the property was zoned properly to include manufacturing to the current Host Community Agreement of Adult Use Retail and Cultivation Marijuana Establishment. It has been determined the zoning allows for this use. Tiffany Newton, the current manager of Not Your Grandpa's Tobacco, Inc. and Isaac Stahl of Izapa Stella 5 LLC were present. Delaney said the Host Agreement is pretty standardized. Barbaro asked Stahl if he was comfortable with the agreement; Stahl answered yes.

**LaBrie moved the Board authorize the Interim Town Manager to enter into a new Host Community Agreement with "Izapa Stela 5 LLC" located at 703 School St. to include Adult Use Retail, Manufacturing and Cultivation Marijuana Establishments and further to null and void the Host Community Agreement between the Town of Winchendon and Not Just Grandpa's Tobacco. This motion was seconded by Ward and with a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.**

**9. TOWN MANAGER'S REPORT:**

9.1 Financial Updates; Personnel Updates; Project Updates; Miscellaneous Updates –

**1. Transition to new Town Manager**

Justin is set to begin on Monday, May 17, 2021. The tentative plan is for me is to be here when Justin starts on the 17th, and brief him on all relevant issues that day. I would also be present and participate at the Town Meeting that evening, and would finish up at the close of the Town Meeting that evening. I would be available, as needed, beyond that date.

**2. Veterans' Services**

I will have an oral update for you at the meeting on April 26, 2021

**3. Poland/Streeter Schools Renovation Project**

We have received notice that the proposal for the renovation of the property into 44 units of veterans' housing will be before the Planning Board as a public hearing on Wednesday, April 28, 2021 at 7pm. The detailed plans are available for review via the planning office.

In regards to the issue of staffing in the Veterans Department, Delaney explained that Chris Dery, a colleague of Mr. Sultzbach, has volunteered his time to fill this important need. He was approved by the State to access the cases of veterans in Winchendon and has dramatically helped to finalize the accounts payable. Healthcare premiums and other matters will be sorted out next week. His assistance has been wonderful and we hope to conduct interviews to fill this position next week.

Anderson informed the Board that she is still bothered by the discussion earlier regarding political signs on Town property. The Election is this coming Monday, and Ms. Santos has purchased signs. She would like the Board to consider allowing Santos to put these signs up on Town property. Ward and Salter expressed opposition, saying that political signs do not belong on Town property. Salter said she is sorry if it was allowed in the past but it should not be moving forward. Anderson asked about the signs on River Street across from the Transfer Station driveway, to which Barbaro answered that is private property and not up to the Town.

**10. MINUTES:**

10.1 Monday, April 5, 2021 Special Meeting – Ward move to approve the Special Meeting Minutes of April 5, 2021 as presented this evening, seconded by LaBrie. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.

10.2 Wednesday, April 7, 2021 Special Meeting – LaBrie moved to accept the minutes of the Special Meeting on April 7, 2021 as presented this evening, seconded by Ward. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.

10.3 Wednesday, April 7, 2021 EXECUTIVE SESSION – Ward moved that the Executive Session minutes of Wednesday, April 7, 2021 be approved and released, seconded by LaBrie. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.

10.4 Monday, April 12, 2021 EXECUTIVE SESSION – LaBrie moved the board approve and release the minutes of the Executive Session on April 12, 2021, seconded by Ward. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the motion carried unanimously.

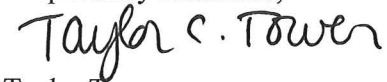
**11. COMMUNICATIONS:**

12. **AGENDA ITEMS:** LaBrie noted that the Finance Committee will hold their Public Hearing on the Warrant Articles tomorrow, April 27th at 7:00 pm through Zoom Meeting, and that residents can ask questions on any article.

13. **EXECUTIVE SESSION:** There was none held this evening.

14. **ADJOURNMENT:** Ward moved to adjourn, seconded by LaBrie. With a roll call vote of Anderson, aye, Ward, aye, Salter, aye, LaBrie, aye and Barbaro, aye, the meeting ended at 7:54 p.m.

Respectfully submitted,



Taylor Tower  
Administrative Assistant