

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MEETING MINUTES  
MONDAY, NOVEMBER 21, 2016  
Town Hall, 4<sup>th</sup> Floor Robinson-Broadhurst Conference Room  
109 Front Street, Winchendon, Mass.**

Present:

Barbara Anderson, Chairwoman  
Audrey LaBrie, Vice-Chairwoman  
Amy Salter  
Austin Cyganiewicz

Keith R. Hickey, Town Manager  
Linda Daigle, Executive Assistant  
  
Debra Dennis, Recording Secretary

Absent:

Michael Barbaro

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List of Documents Presented at Meeting:

- Shop Local Flyer (filed)
- Notice of Vacancies (filed)
- Application for Christmas Tree Permit-Walter LaGrassa Lil Anthony's 678 Spring Street (filed)
- Application Voluntary Boot Drive-Winchendon Pop Warner December 3, 2016 (filed)
- Memo from Keith Hickey to BOS dated November 15, 2016-MassDOT Request to Repave a Portion of Route 202 (attached)
- Memo from Keith Hickey to BOS Dated November 14, 2016-Request to Modify the Town's Responsibility to Repair Damaged Water Pipes (attached)
- Orange Water Department Rates and Fee Schedule (attached)
- Memo from Keith Hickey to BOS dated November 16, 2016-Discussion on Water Shut off/Turn on Fees (attached)
- Memo from Keith Hickey to BOS dated November 15, 2016-Update on Town Manager's Fiscal Year 2017 Goals and Objectives (attached)
- Memo from Keith Hickey to BOS dated November 16, 2016-Request for a Water and Sewer Abatement for 176 Spruce Street (attached)
- Report of the Town Manager (attached)
- Minutes Approved:

Monday, October 24, 2016	Regular Meeting
Monday, November 7, 2016	EXECUTIVE SESSION
Thursday, November 10, 2016	Joint Meeting with School Committee
Monday, November 14, 2016	Prior to Special Town Meeting

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The meeting was called to order by Chairwoman Anderson at 6:30 p.m. with the *Pledge of Allegiance to the Flag of the United States of America*.

Announce audio/video recording disclosure – There was no one who announced they would be audio or video recording the meeting this evening.

**SELECTMEN'S COMMENTS:**

Winter Parking Ban - Dec. 1 through April 15, 2017 – Chairwoman Anderson noted the winter parking ban December 1<sup>st</sup> through April 15<sup>th</sup> from 11pm -6am.

Thanksgiving Holiday Schedule for Town Hall – Chairwoman Anderson noted Town Hall will be closed on Wednesday, Thursday and Friday for the holiday.

Chairwoman Anderson spoke about the Shop Local vendor fair at Town Hall that will feature local small businesses on Saturday, November 26<sup>th</sup> from 10am -4pm.

#### **PUBLIC COMMENTS AND ANNOUNCEMENTS:**

Mr. and Mrs. Lionel Cloutier came forward. He wanted to speak up on a matter that concerns him and his family dearly. He has been on numerous town boards. He said he has been threatened with his life three times this year. He said the problem has to do with the Neighborhood Watch for Juniper and Webster Street. He said when they report something to the police there is no way they can stop the people from finding out who contacted the police and turned them in. He said they get threatened after. At the last meeting of the Neighborhood Watch they only had four people attend. Mr. Hickey urged him to contact the Police Department and file a report with who has allegedly threatened to kill him. Mr. Cloutier replied he had. Mr. Hickey informed him the Police Department has to release information that is public when they are asked for it. He asked Mr. Cloutier if he had brought his concerns up at the Neighborhood Watch meeting with Chief Walsh. Mr. Cloutier said yes, the Chief said he could only do so much and that his hands are tied. He will protect as much as the law provides. Mr. Cloutier said Lt. Wolski said if someone asked who turned them, that he would gladly tell them.

Selectman Cyganiewicz noted he spoke with Mr. Cloutier before tonight and is satisfied as long as the Police Department and Mr. Hickey are addressing it and Mr. Cloutier was satisfied. He asked Mr. Cloutier if the Police Chief and the Town Manager have satisfied his concerns. Mr. Cloutier said no and that he has hired a private person for protection. Mr. Hickey said based on his conversation with Lt. Wolski he wouldn't have phrased that he would be "happy" to supply your name when asked. Mrs. Cloutier stated he did say that. Mr. Cloutier is concerned about the Neighborhood Watch people and their names not being withheld to protect the volunteers. Chairwoman Anderson said she appreciates all his service to the town and also his volunteering his services doing other important things that people haven't acknowledged. She thanked him. She asked if calls to the police station are taped. Mr. Hickey replied yes. Selectman Cyganiewicz said we need to make sure residents are safe and feel safe. He said he wants Mr. Cloutier to feel safe and hopes we can make this right for him and the rest of the people on his street and the community.

Mr. Walter LaGrassa from Lil Anthony's came forward and informed the Board he would like to apply for his annual permit to sell Christmas trees. He thanked the Board for putting this on the agenda for this evening.

**Selectman Cyganiewicz moved to take the Christmas tree application for Lil Anthony's out of order; Selectwoman LaBrie seconded.**

**ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)**

#### **NEW BUSINESS:**

CHRISTMAS TREE PERMIT – 678 Spring Street-Mr. Walter LaGrassa noted he has been selling Christmas trees for 21 years now. **Selectwoman LaBrie moved to approve the application; Selectman Cyganiewicz seconded.**

**ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)**

Mr. LaGrassa thanked the Board.

#### **APPOINTMENTS/RESIGNATIONS:**

Selectmen's Boards and Committees Vacancy Notice - Selectwoman LaBrie noted the current vacancies; the Cultural Council, Communications Commission Committee and one Alternate on the Planning Board. If interested, please contact the Town Manager's office and she thanked those who have stepped forward.

## **PERMIT/LICENSE APPLICATIONS/PUBLIC HEARINGS:**

Voluntary Boot Drive December 3, 2016 – Winchendon Pop Warner - Sue Polcari stepped forward. She said this will be a general fund raiser for Winchendon Pop Warner and Cheerleading. She said they have had a tough year with participation and need to build on their finances. They are doing some public outreach. Selectwoman LaBrie noted the location and thinks the Fire Chief indicated if there are icy roads not to hold it. Chairwoman Anderson thanked them for the work that they do but reiterated she hates boot drives. **Selectwoman LaBrie moved for the applicant; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

## **BOARDS/COMMITTEES/DEPARTMENT HEADS: N/A**

## **NEW BUSINESS:**

Discussion on State Proposal to Repave Route 202 from the Templeton Town line to Main Street - Mr. Hickey explained Mass DOT has funding for a project and is considering repaving Route 202 from the Templeton town line to Main Street in Winchendon. He said they have had conversations about constructing a sidewalk and /or bike path as part of the project. The state has a finite amount of money and the additional costs for sidewalks and drainage would render the project ineligible for FY17. In his conversations with DOT, the shoulders will be widened and stripped to allow a bike path, but not a sidewalk. He thought it appropriate to bring to the Board of Selectmen. Having the road repaved in FY17 instead of waiting is worthwhile in foregoing the sidewalk and they can notify the DOT to repave Route 202 to include a bike lane but not a sidewalk. It will happen sometime between May and October. DPW Director, Al Gallant, thought it would take only about a week to do. Last time it was paved was in 1994. The sidewalk could be addressed at another time. **Selectwoman LaBrie moved the Board take an official stand to support the Mass DOT intent to pave Route 202; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

Request by Cumberland Farms for a Temporary and Permanent Easement from Town – Cumberland Farms Attorney, Phil Lombardo, came forward on behalf of Cumberland Farms. They have submitted a proposed easement. He explained the properties on the plan outlining Cumberland Farms properties including the newly acquired properties/buildings. They will be knocking down buildings and rebuilding a new Cumberland Farms. As part of the project they need a way to direct storm water and to accommodate the town's sewer line. This proposal is to give the town an easement down to Central Street. Cumberland Farms will need to dig up a little of Central Street to accommodate flow and ultimately improve the situation. That is the permanent easement pertaining to drainage and sewerage.

Mr. Lombardo explained the second easement stating that part of the work includes work to the retaining wall. This would include installation of a wrought iron fence that has been previously approved by the ZBA and the Planning Board. He said they need a temporary construction license to access town land and it is estimated that construction would start at the beginning of next summer. He said they are not sure when demolition of the buildings would start. There has been some discussion of possibly relocating the barn and salvaging some items in the houses.

Mr. Hickey added that the permanent easement, currently a sewer easement, would replace the existing draining/sewerage line through their property. This easement is only for a short period of time. Any parking out back can move to the other side. Both easements are shown on the site plan and have been approved; these are not new items before the Board this evening. Selectwoman Salter asked if Town Counsel has reviewed this. Mr. Hickey said they have received the documents but he hasn't received their input back. He is asking the Board for a temporary easement and if changes from Kopelman and Paige are significant we can bring it back; but it's pretty straightforward. Selectwoman LaBrie asked about the retaining wall and the entrance. Mr. Lombardo said they are trying to make the pitch more manageable. **Selectwoman LaBrie moved to approve the temporary construction easement and permanent easement for Cumberland Farms subject to Town Counsel's review. Selectman Cyganiewicz seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

Discussion on Extending Repairs to Municipal Water Services to Water Main –Mr. Hickey noted he’s had a conversation with Chairwoman Anderson regarding who has the responsibility of water service repairs. He provided a picture/diagram of a typical residential water service connection to the water main. Mr. Hickey explained that typically the water meter is installed at the property line and the town is responsible for repairs from the property line to the main but is unlikely that it is the responsibility of the homeowner in this case. Winchendon is unique in how they assign responsibility of repair of the water lines. There are some benefits having the town do the repairs in the street. We have more control of the repair of the roadway than someone hired by a private homeowner. It is the Public Works Director’s point of view to assign town responsibility for the water main to the property of the customer; from the property line into their home would be the homeowner’s responsibility. Mr. Hickey suggested it become effective July 1, 2017 due to the budget impact to the town. There are between 8-10 breaks annually on this and costs about \$3,000 per repair. We would budget \$30,000 possibly funding through raising the rates or putting a separate charge on the bill. We’d like to set up a fund and if we don’t spend the full \$30,000 it can be moved into the reserve for use in a bad year. The town DPW workers would do the work. DPW Director, Al Gallant, was asked his opinion. He is for it. He thinks they could do a better job than a contractor. He said he was thinking a \$15 per person surcharge on their bills would cover the cost. Mr. Hickey offered when he presents his FY18 budget they can decide how at that time.

**Selectwoman LaBrie moved the Board accept the modifications of the town responsibility for the water pipes going to houses; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

After a short discussion and need for clarification, **Selectwoman LaBrie moved to rescind the previous motion; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

**Selectman Cyganiewicz moved the town take over the responsibility of any water infrastructure repairs effective July 1, 2017 from the town curb stop to the water main; Selectwoman LaBrie seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

Discussion on Amending Seasonal Water Shutoff/Turn on Charge - Mr. Hickey said this is an agenda item tabled from the November 7<sup>th</sup> meeting. It is based on a broader discussion on turn on and turn off fees. The Board approved the fee schedule in the spring along with the budget to adopt the fee of \$100 for turn on and offs of water. There were concerns raised at a Board meeting two weeks ago. The idea was to address seasonal shutoffs. There are about 6 to 10 a year which doesn’t impact the budget significantly. Selectman Cyganiewicz is concerned about charging different amounts for different reasons. Seasonal shutoffs can be scheduled, others deal with unpaid accounts. Selectman Cyganiewicz asked if other towns do this. Chairwoman Anderson said she did some research and found the town’s fees are substantially higher. Selectman Cyganiewicz said he doesn’t want the town to have trouble legally if the same task is being performed. Mr. Hickey said this is a policy and the Board needs to make their decision. Selectwoman LaBrie said she sees seasonal water shut offs differently because the bills are current.

Mr. Ramos Smith, a business owner in town, came forward and commented if scheduling, a reduced fee would be practical. Mr. Greg Vine asked whether the town has a policy and differences of fees commenting the people hit with the highest fee may be having a hard time paying their bills to begin with. He asked if the town has any kind of waiver for those that might be in tough financial straits. Chairwoman Anderson said they can contact the town and make payment plan arrangements. Chairwoman Anderson suggested a \$50.00 fee for a service leak or seasonal, but a surcharge of an additional \$50.00 to shut off due to non- payment. Mr. Gallant said that would work well; they have reduced past due accounts a lot. He is in favor of Chairwoman Anderson’s suggestion.

**Selectwoman LaBrie moved the Board vote to amend the water department service fees on water shut off and turn ons to a two tiered policy -- unpaid bills reaching a point of shut off-\$100.00; for seasonal and or service leaks, the fees are \$50.00 during normal business hours. Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

**Selectwoman LaBrie moved to take the agenda out of order to Old Business to address the request to waive a water shut off charge for Account #1681; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

**OLD BUSINESS:**

Request to Waive a Water Shutoff Charge Account #1681 – **Selectwoman LaBrie moved the Board adjust the water shut off charge to account #1681 to \$50.00; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

**Selectwoman LaBrie moved to take the agenda out of order and address the Request for Water/Sewer Abatement at 176 Spruce St.; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

Request for Water/Sewer Abatement – 176 Spruce Street - Mr. Ramos Smith came forward. Mr. Hickey explained they received an application for abatement from the property owner of 176 Spruce Street. This property has been connected to water for quite some time. This gentleman purchased the property in 2012. The town has determined the property is connected to municipal water and was never billed in the past. The previous owner was getting municipal water for free. Mr. Smith shook his head no and said the property wasn't divided; there was one meter for both buildings. Mr. Gallant said the previous DPW Director jacked up the bill to get him to do something. **Selectwoman LaBrie moved to table the issue for further investigation.** Mr. Smith spoke about the bills he has paid.

Chairwoman Anderson noted Mr. Gallant works hard and has untangled many messes. Mr. Smith was appreciative of Mr. Gallant's guidance. Mr. Smith said he attempted to do what was needed previously. Mr. Gallant said he has limited knowledge of this additional information and would like to review it with Steve Neal from the Water Dept. He has been around for a while. **Selectwoman Salter seconded.** This will be put on the Board's next agenda.

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

The Board discussed the meter readers. Al Gallant said they spent two million on meters and they have been failing. They have spent \$50,000 a year to replace them. He explained his Executive Assistant is diligently working on it and they are replacing them when they can. He said when it slows down, he works on it. Not all of the meters are faulty. Selectman Cyganiewicz asked if there is any recourse against the manufacturer. Mr. Gallant said we are two years into this; the manufacturer wouldn't do anything. They have already changed around 1,000 of them out of 2,100. He said when the manufacturer installed the meters, they didn't zero them out. Mr. Gallant was thanked by the Board.

Request to Modify Police Station Site Plan to Eliminate Fencing along Property Line - Mr. Hickey talked about the site plan sketch. The fence has not been installed. He said the Police Chief has had conversations with a property owner and they don't wish to have that fence installed. He said we are happy to not have it as well. Mr. Hickey asked the Board's permission to go to the Planning Board for modification to eliminate the fence on the site plan. Selectwoman LaBrie asked about the homeowner reserving the right to request a fence in the future; if so he would have to go back to the Planning Board. **Selectwoman LaBrie moved the Board approve the change to eliminate fencing on the police station site plan; Selectwoman Salter seconded.**

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

Review Town Manager Goals and Objectives – Mr. Hickey provided in the Board members' packets his update on the goals and objectives set for him in FY17 and the status in meeting those goals. Chairwoman Anderson said she is impressed that they are putting out a lot of fires and that he has worked towards a lot of goals in the middle of all of that. Selectman Cyganiewicz asked if there was an annual evaluation tool for the end of the year. Chairwoman Anderson said she has worked with the Town Manager on the form and will email it to them tonight. Chairwoman Anderson said she would like to go to the next Communications Committee.

**TOWN MANAGER'S REPORT:**

**Financial Updates**

Mr. Hickey gave a final update on the water/sewer bill collections. He said as of last week they have 80 people who haven't responded to the town's request for a payment plan or paying their bill. The amount owed is around \$35,000 of unpaid bills. He said he hopes they will contact the town. Before the Select Board adopted the shut off policy, there were 448 people who hadn't paid with a total of \$232,101 owed. The total amount collected is almost \$200,000 which will help with cash flow.

**Personnel Update** – None this evening.

**Project Updates**

Mr. Hickey has notified the architect and project manager of the funding approval for the library accessibility project. They are working on the project.

Mr. Hickey said he is working with the company that did the energy audit who has recommended a gas fired furnace. There is \$108,000 for the boiler from a Robinson-Broadhurst grant but the bid came in at \$180,000. The engineer recommended installing natural gas in this building. It would save money on utility costs and the cost to install the furnace is \$96,000. There will be an extra \$9,700 to remove the asbestos pipe. He is trying to finalize the contract to have the new furnace installed. It will be done over a Thursday/Friday which will leave a day or two with no heat. Once the new gas furnace is up and running they will discontinue using the old furnace and the asbestos pipe will be removed.

**Miscellaneous Updates**

The Town Manager noted Town Hall will be open tomorrow but closed Wednesday, Thursday and Friday for the Thanksgiving holiday.

The Town Manager noted the annual Lake Monomonac two foot drawdown for the winter is complete.

Chairwoman Anderson asked if people have been notified of the water shut offs. Mr. Hickey said yes, door hangers have been left, especially for the renters. He said renters can reduce their rent and pay the bill. He said we have done everything we can to minimize shut offs. If there are any conflicts or disagreements with their bills, they will not have their water shut off. The people left have made no effort to contact the town.

**MINUTES:**

Monday, October 24, 2016 Regular Meeting – Selectwoman LaBrie moved to approve as presented; Selectwoman Salter seconded.

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

Monday, November 7, 2016 EXECUTIVE SESSION – Selectman Cyganiewicz moved to approve but not release; Selectwoman Salter seconded. A roll call vote was taken.

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

November 10, 2016 Joint Meeting with School Committee – Selectman Cyganiewicz moved to approve; Selectwoman Salter seconded.

ANDERSON(Y)      LABRIE(A)      SALTER(Y)      CYGANIEWICZ(Y)

Monday, November 14, 2016 Prior to Special Town Meeting – Selectman Cyganiewicz moved to approve; Selectwoman Salter seconded.

ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)

**COMMUNICATIONS:**

**AGENDA ITEMS:** Chairwoman Anderson noted the next meetings in December are the 5<sup>th</sup> and 19<sup>th</sup>. A Joint meeting with the tri-board was considered to be held in January or early February. This meeting would be to discuss budget issues and to address the Audit Management letter.

Selectwoman Salter said she may not make the meeting on December 5<sup>th</sup> because of tax school.

**ADJOURNMENT: With no Executive Session scheduled this evening, Selectwoman LaBrie moved to adjourn; Selectwoman Salter seconded.**

**ANDERSON(Y)      LABRIE(Y)      SALTER(Y)      CYGANIEWICZ(Y)**

**The meeting was adjourned at 8:12p.m.**

Respectfully Submitted, Debra A. Dennis, BOS Recording Secretary