

TOWN OF WINCHENDON
BOARD OF SELECTMEN MEETING MINUTES
MONDAY, DECEMBER 18, 2017
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.

Present:

Barbara Anderson, Chair
Audrey LaBrie, Vice Chair
Austin Cyganiewicz (6:35 p.m.)
Michael Barbaro
Charles Hesselbee

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

List of Documents Presented at Meeting:

- Letter of Interest to Serve on the Ingleside Utilization Committee from Benjamin Hagemeyer (filed)
- Permit Application, Scott Gauthier/American Legion Post for a Bonfire Permit (filed)
- Board of Selectmen Lists of 2018 Annual License Renewals (filed)
- Memo from Linda Daigle regarding 2018 Annual Retail Alcoholic Beverages Licenses Authorization to Attest to LLA's Actions (filed)
- License Application from Marcus Hytonen for Owner and Name Change of Spring Street Rooming House (passed over)
- Letter to Glenn Eaton, MRPC Executive Director, seeking Local Assistance to the DLTA program (filed)
 - District Local Technical Assistance (DLTA) Program Overview dated Dec. 6, 2017 (filed)
- Application for Water/Sewer Abatement from Joanne Fitch, 17 Whitney Street (filed)
- Application for Water/Sewer Abatement from Mark Gagnon 45 Pond Street (passed over)
- Chief of Fire Employment Agreement (attached)
- Employment Agreement Between Town of Winchendon and Town Manager (attached)
- Report of Town Manager (attached)
- Minutes for approval
 - Monday, October 16, 2017
 - Monday, October 30, 2017
 - Monday, December 4, 2017

6:30 P.M. Call meeting to order

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

Announce audio/video recording disclosure: No one announced that they would be recording this evening.

1. SELECTMEN'S COMMENTS:

Holiday Schedules: - LaBrie read the holiday hours, noting that the Town Offices will be closing at 12:00 p.m. on Thursday, December 21st and will reopen on Tuesday, December 26th for the Christmas holiday. Town Offices will also be closing on Thursday, December 28th at 12:00 p.m. and reopening on Tuesday, January 2nd for the New Year's holiday. Transfer Station Hours will be open its normal hours, 8:00 am to 4:00pm Wednesday through Saturday. LaBrie also wished all a Merry Christmas, a Happy New Year, and happy holidays.

Hesselbee reiterated LaBrie's sentiments and wished all happy holidays.

Barbaro thanked the DPW for clearing the roads in the last few days, working on Saturdays to get them clear. He wished all a great, safe, and warm holidays bundled up with friends.

Anderson mentioned the Holiday Tour of historic homes in Winchendon, thanking the Historic Society for an outstanding job. There was a great turn out, and people from all sorts of towns showed up for the event. It was a great day of festivities.

2. **PUBLIC COMMENTS AND ANNOUNCEMENTS:** There were no public comments.

3. **PUBLIC HEARINGS:** N/A

4. **APPOINTMENTS/RESIGNATIONS:**

4.1 Letter of Interest for Appointment to the Ingleside Utilization Committee – Benjamin Hagemeyer – A letter of interest was received from Benjamin Hagemeyer, a senior at The Winchendon School to join the Ingleside Utilization Committee.

A motion was made by Barbaro to approve Benjamin Hagemeyer as a member of the Ingleside Utilization Committee, and seconded by Husselbee, with a vote of all ayes.

Anderson thanked Hagemeyer for stepping forward.

5. **PERMIT/LICENSE APPLICATIONS:**

With the applicant not yet present, *Barbaro moved to take the agenda out of order; seconded by Husselbee. With a vote of all ayes, the agenda was taken out of order.* The Board moved to item 5.2.

5.1 Bonfire/Fireworks Permit for Jan. 26, 2019 – American Legion Post 193

5.2 2018 Board of Selectmen Annual License Renewals - Executive Assistant Linda Daigle supplied two list of their licenses to be renewed sorted by business and secondly by type of license for the Selectmen. She noted all of the required inspections have been completed and all the paperwork necessary has been submitted except for one exception, a Class II bond for S&J Used Motors and Equipment. Anderson asked what the difference was between Class I and Class II. Class I is the sale of new vehicles and Class II is for the sale of used vehicles. It was also mentioned that Lisa's Central Diner is not renewing their Common Victualler license.

Anderson thanked the departments who took part in the renewal process for their prompt reports and thanks to Lindsay Kuchta and Linda Daigle for the work they have done as well.

Barbaro moved to grant the licenses for next year, holding S&J Motors until the proper paperwork has been submitted. Motion was seconded by LaBrie with a vote of all ayes.

The Board wished the upcoming year would be good to all of the businesses.

5.3 Authorization to Attest to Local Licensing Authority's Actions Taken - Anderson said they received a memo from the Executive Assistant seeking authorization to act on their behalf as the Local Licensing Authority and to attest to their actions taken this evening in approving the licenses. She noted this was part of the online e-licensing process of the ABCC.

LaBrie moved to authorize the Executive Assistant to attest to the actions of the Board, as the Local Licensing Authority, in completing the license renewal process with the ABCC, motion seconded by Barbaro, with a vote of all ayes.

Daigle also asked for execution of a document for the ABCC that list any licenses that failed to renew for 2018 or licenses that had not been approved. Even though there were none, the document still needed to be forwarded to the ABCC.

Motion to execute was made by LaBrie, and seconded by Barbaro with a vote of all ayes.

5.4 New Year's Eve Closing for Section 12 Liquor License Holders:

Barbaro moved to approve the closing of Liquor License holders to 2:00 a.m. on New Year's Day. Motion was seconded by LaBrie with a vote of all ayes.

Anderson asked if Daigle has checked with the Police Chief on this matter. Daigle replied she had not, though the Chief has not had any issues when extending the hours in previous years.

Barbaro moved to take the agenda item out of order; Hesselbee seconded with a vote of all aye, the Board moved to New Business.

5.5 Lodging License Name/Owner Change Application - 36 Spring St.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS: N/A

7. NEW BUSINESS:

7.1 Request for Board Support of a District Local Technical Assistance (DLTA) Grant - Tracy Murphy, Planning and Development Director, came forward and noted Massachusetts Regional Planning Commission (MRPC) has put out a call for the District Local Technical Assistance (DLTA) program. This year she is asking for support in updating the Master Plan with them not being able to meet in about six months. Lots of work has been done on it with dedication from members. The grant is needed to help finish up the work and compile it into a finished document. The work started in 2014, and with the usual timeline of updating the Master Plan every two years we are now pushing four years. It is time to get help. It will probably take two rounds of the grant to complete the work.

LaBrie said she knows the Master Plan needs to get done. Murphy reiterated that a lot of good work has been done. Each committee member has a chapter. Murphy intends to set up meetings to edit the chapters individually. LaBrie believes it is good to have the help so each chapter is consistent. Murphy also noted that the intention is to create a more reader friendly version of the Master Plan by creating two volumes, one qualitative and one quantitative. Anderson asked when Murphy anticipates the Master Plan to be completed, to which Murphy replied the fall or end of summer.

Barbaro moved to support the request for the DLTA grant, seconded by LaBrie, with a vote of all ayes.

7.2 Application for Sewer Abatement - 17 Whitney St.

Hickey, speaking on behalf of the property owner, said they have a pump in the front of their house that broke in June. This meant their holding tank had to be pumped by a septic hauler rather than the waste going to the waste stream. The sewer bill is based on water consumption and they were billed by waste water consumption, even though the waste was not treated. An abatement has been requested in the amount of \$130.89 from the water department.

Anderson asked for clarification. Hickey replied that the pump in the front of the home is to help process waste water from the holding tank into the waste water system. In this case, the pump broke and as waste built up the chamber was not able to pump waste into the waste water stream, and it had to physically be removed from the chamber by a septic truck. This meant that it did not go through the Town's waste water treatment plant and although the residents were charged for the process, it did not occur. The pump has since then been fixed.

Barbaro moved to abate the sewer adjustment charge of \$130.89 to 17 Whitney Street, based on the Department of Public Works Director's advisement. Motion was seconded by LaBrie with a vote of all ayes.

7.3 Application for Water/Sewer Abatement – 45 Pond St.

The property owner was not able to attend, and it was requested to table the abatement application to the next meeting, January 8th.

Barbaro moved to table the abatement for 45 Pond Street to the next meeting, January 8, 2018. Motion was seconded by LaBrie with a vote of all ayes.

7.4 Policy Amendment First Reading - 400:37 Adjustments and Abatements: Water/Sewer User Accounts

Hickey noted that the Abatement process can be confusing to both the applicants and the Board. He said Al and Wendy from the DPW Dept., as well as Linda and he sat down to attempt modifications to the abatement policy of the Board and the application process. Both draft documents were before them for review. Hickey noted they were looking to eliminate any water abatement request as they typically aren't used. The Town hasn't abated water in the past; we are looking to modify the policy to reflect that and to make changes to the application to be consistent with the policy. Also to indicate the abatement application is available on the website or from the DPW office. Hickey went through the changes made to the abatement application; the form should be received within thirty days of the issued bill, to remove water charges from the abatement application, and as the current abatement states, people have to be in good standing or paid in full to receive an abatement. Hickey pointed out that many times people have larger sewer bills and this can cause more of a financial hardship. The water portion must be paid in full, though the sewer portion can remain unpaid until the Board makes their decision.

Anderson feels that the cold snaps have made it necessary to run a trickle to which Hickey replied they had not had an abatement for trickling water in a considerable amount of time. It was done a number of years ago but is no longer a current practice because people's pipes freeze over a considerable amount of time. If the water is used and we treat the water, then it should be billed and paid for. It is, ultimately, the Board's decision. According to DPW, it has been a considerable amount of time since that sort of abatement has been requested. Anderson remembers the last abatement of that type was during the ice storm and this amendment would close the door to those who have no control over this sort of crisis. She is afraid to back into a corner that cannot be gotten out of. Daigle noted that the Board can make an exception to that rule for a period of time during crisis if needed.

Cyganiewicz does not agree with striking out water. He would hate to eliminate and have to create the exception for when crisis strikes. The elimination of language is a little strict, and a future Board may just see that water is not there and not create the exception.

LaBrie understands that requests for water abatements have been due to meter issues and by taking out the ability to apply for a water abatement it needs to be clear that if the water goes through the meter, whether you know about it or not, the general rule of thumb, we will not abate it. Hickey stated that the Board can abate it if they would like to, it is a staff policy that if the water goes through the meter you will not grant an abatement for water usage. Cyganiewicz feels that something could happen and the elimination of water abatements may make the Board look foolish. Hickey stated it is still the Board's decision and he was trying to make clear on past practice. He asked where they would like to modify the policy.

Husselbee noted number two to keep water/sewer abatements in. LaBrie also noted to carry water/wastewater over to the application. Anderson was not sure if she wanted to go this way that it would have to be extenuating circumstances. Barbaro stated that there hasn't been a legitimate reason to give anybody an abatement of water. Once a door is open, people who are turned down will come back; but with a strict policy in place, the foolishness will stop. Meters are a different story, as well as extenuating circumstances. LaBrie stated if she was on the other end, she would want the opportunity to argue her case. She wants to keep communication open between citizens and the Board. She would like to leave the language in.

Barbaro moved in Section 2 of the policy to add the word "water" back in to read "water and/or sewer" and to also add the word "water" back in under 2a. the first sentence to read "...application for a water/and or wastewater abatement..." and to also amend the application to be consistent with the policy. LaBrie seconded. By a vote of all aye, the motion carried.

5.1 Bonfire/Fireworks Permit for Jan. 26, 2019 – American Legion Post 193 - Scott Gauthier, Manager of the Eugene M. Connor Post 193 American Legion, came forward petitioning for a bonfire permit. He noted that it is being opened to the community and made to be more of a family fun day event. In previous years, a formal dinner took place, but this year they will do more of a taste of summer with burgers and hot dogs. Anderson mentioned that the bonfire for 2018 will be the week before the Superbowl, January 27, 2018. Gauthier said he is petitioning for 2019 to make sure everything is all lined up. The Winchendon Fire Department always has a nice showing and keeps the Legion in check.

LaBrie asked Hickey where it is stated that the Town is only permitted one bonfire a year. Chief Smith of the Fire Department came forward and replied that it is a State Fire department policy and the permit is from the State Marshall and per Environmental State Law. Anderson stated Gauthier is just about a year in advance for the event, which is a fair timeline. LaBrie asked what the difference between a bonfire and regular fire permit was. Smith replied that it is all about the size; cooking fires are allowed and ceremonial or bonfires are allowed to get rid of Christmas trees at different times of the year. A burn permit is for brush only, and must be extinguished by 4:30p.m., also driven by the Department of Environmental Protection (DEP). Whether or not burning is allowed can change day to day, and must be checked daily. There is even a certain time frame that training fires can take place as well.

Barbaro moved for the applicant, seconded by LaBrie, with a vote of all ayes.

7.5 Renewal of Three Year Employment Contract with Fire Chief Thomas Smith - Chief Smith came before the Board. Hickey said there isn't anything different with the contract renewal than what they have already discussed. He said he has been working the past couple months on this and is pleased and honored to present this three year contract for Chief Smith for the Board's consideration. It was proposed that the Chief follow the personnel rules and regulations recently adopted, which are available on the website and in the office.

Barbaro moved for the Board to renew the three year employment contract of Chief Smith. Motion seconded by Cyganiewicz with a vote of all ayes.

7.6 Discussion and Approval of the Town Manager's FY18 Rate Adjustment - Anderson pointed out to Mr. Cyganiewicz who was not able to attend the last Executive Session that Mr. Hickey's contract does not contain language for a yearly raise, as it must be negotiated annually. The Board sought to compensate him with an increase for his evaluation in which he got outstanding scores. The Board wants to adjust his FY18 contract with a 5% increase. Cyganiewicz asked if this was put in the contract. Hickey explained this has been listed in the starting salary amount of the contract but there is no percentage listed in the contract. Board members noted this was discussed at their last Executive Session and the Board agreed to consider an adjustment after his evaluation annually. The increase would be effective Dec. 1, 2017.

Barbaro moved the Board approve the Town Manager's rate increase of 5% based on his performance for Fiscal Year 2018. Motion was seconded by LaBrie. By a vote of four ayes and one abstention from Cyganiewicz stating he was not present for the Executive Session, the motion carried.

7.7 Renewal of Three Year Employment Contract with Town Manager Keith Hickey - Anderson noted that some language had been altered by legal counsel. The residency requirement was stricken as in this day in age is a moot point. Most everything else remained the same. Barbaro clarified that Hickey's contract runs currently through December 2018. This new contract will kick in next December. As far as Barbaro is concerned, Mr. Hickey has done a wonderful job. The goal has been and still is to get out of debt. Next year will mark four years, rather than an anticipated ten year attempt to get out of debt. A lot of hard work by Departments and great leadership was put in by Hickey. He didn't want to lose Mr. Hickey and wanted to wrap up his agreement for next year. LaBrie mentioned that it is not an extension of his contract, but a new 3-year contract.

Barbaro moved to renew the 3-year contract with Town Manager Keith Hickey effective December 1, 2018 to November 30, 2021. Motion seconded by LaBrie. With a vote of four ayes and Cyganiewicz abstaining due to not being present in Executive Session, the motion carried.

Cyaniewicz wanted to point out, not taking away previous comments, that he feels Mr. Hickey is doing a fantastic job.

Mr. Hickey was thanked for his service. He in turn thanked the Board.

8. **OLD BUSINESS:** There was no Old Business this evening.

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

1. Financial Updates-

- a. The Tax Collector's Office recently placed liens on past due water and sewer accounts. The liens totaled \$24,474.55 for 39 accounts. In 2016 the lien total was \$249,234.35 on 221 accounts. The shutoff policy adopted by the Selectmen has made a significant difference in the collection rate which has also improved cash flow. This year's liens were for accounts that had medical issues and accounts that are unpaid and have been shut off.
- b. The Accounting Department has upgraded the MUNIS software from Version 9.3 to Version 11.1. Another upgrade will occur in early 2018 to Version 11.3 which will provide MUNIS support until April 2020. There are no costs for the upgrades other than employee time stated Bill Schlosstein, the Town Accountant. He expects conversion to 11.3 next year. Hickey also noted that it will bring us closer to the most updated version. He thanked the accountants for their hard work with us and the School Department.
- c. I have been working on the Five Year Financial Forecast and am planning on presenting to the Board in January. I will also be starting the FY19 Capital Improvement Plan and issuing Department Heads budget documents and instructions shortly after January 1st.

2. Personnel Updates-

- a. Police Officer Brian Wightman has recently resigned. Chief Walsh will be following the Civil Service process to fill the position.
- b. Assistant Town Accountant Joanne Goguen has been hired by the Winchendon School Department to process the school payroll. She is working eight hours a week and will be paid directly from the School Dept. This opportunity came about when the Assistant School Business Administrator resigned. Superintendent Haddad, Business Administrator Rich Ikonen, Town Accountant Bill Schlosstein and I met to review the options of processing payroll and agreed that there would be more continuity and a budgetary savings to have the Town process the School Department payroll. Joanne will be coming in earlier and staying later to not affect her time here as the Assistant Accountant. There is no conflict of interest as advised by Town Counsel.

3. Project Updates-

- a. The lighting upgrade project at the Town Offices has been completed. All lights have been upgraded to LED lighting. Motion sensors have also been installed to turn off lights in parts of the building automatically. Lighting at the Fire Department is currently being upgraded to LED. Hickey stated it is to be paid for with Green Communities Grant funds, at no cost to the Town.
- b. The Library will be closed on Friday, December 22nd to allow the building project contractor to spray insulation.
- c. Public Works attended a meeting regarding the Royalston Road North bridge project. Demolition of the current bridge is scheduled to begin this winter. The temporary bridge to be installed this winter but the state requires asphalt to be installed around the entrance of both sides of the bridge which could delay the opening. A request to use millings instead of asphalt will be made to the State which will allow the temporary bridge to be opened in the late winter. If asphalt is required, the temporary bridge would not open until late spring. I will draft a letter from the Board Chair requesting millings to be used so the bridge can be opened as quickly as possible if necessary. The anticipated completion date is March 2020. Tracy Murphy completed and submitted an ADA accessibility grant for the library project. The amount of the grant request is \$250,000. Tracy expects an answer by the end of January 2018.
- d. The rehabilitation project of both water tanks is now complete. On December 14th, the state approved the repairs so the High Street tank could be refilled.

4. Miscellaneous Updates –

- a. The property tax rate has been set at \$17.35 per thousand. Tax bills will be generated and mailed prior to December 31st.

b. The Robinson-Broadhurst Foundation grant applications were due to me on December 14th. I won't receive the School Departments request until next week. Once I have a complete list of funding requests, I will forward it to the Board.

Anderson asked about the street lights. Hickey replied that the lights have been ordered and are being shipped in the next couple weeks. Winchendon went through the bidding process with MRPC, where Dagle Electric will be installing in four communities including Winchendon hoping to start in January. The Board would like to see all the street lights turned back on.

The Board returned to agenda item number 5.5.

5.5 Lodging License Name/Owner Change Application - 36 Spring St. - Hickey reported that Marcus Hytonen applied to take over the Lodging House at 36 Spring Street. Building Inspector Geoff Newton has inspected the building, and has a list of things that need to be done before next year's license can be renewed. Hytonen was aware of the matters that need tending to, but was not present at the meeting, and postponement of the license application was suggested. Hickey noted the building is under joint ownership, and there is no legal reason that this cannot be delayed to January 8th's meeting.

Barbaro made a motion to postpone any vote taken tonight for 36 Spring Street until the owner can attend the meeting and answer the Board's questions. LaBrie seconded the motion, with a vote of all ayes.

10. MINUTES:

10.1 Monday, October 16, 2017 - Regular Meeting

Motion to approve minutes made by LaBrie, seconded by Cyganiewicz all ayes.

10.2 Monday, October 30, 2017 - Regular Meeting

Motion to approve minutes made by LaBrie seconded by Hesselbee; with a vote of LaBrie aye, Hesselbee aye, Anderson aye, Cyganiewicz abstain and Barbaro abstain, the minutes were approved.

10.3 Monday, December 4, 2017- Regular Meeting/Tax Classification Hearing

Motion to approve minutes made by Barbaro, seconded by Hesselbee. Cyganiewicz abstained, all others aye.

Scott Royal came forward and asked if the Town would be okay with him removing dead tree limbs and hazardous trees from the bike trail. This would be something that he would look for volunteers to help him with and didn't want to overstep any bounds. Hickey apologized for not reaching out to him. He will set up a meeting with the DPW Director to get a better understanding of how he can help.

11. COMMUNICATIONS:

The next Board meetings are scheduled for January 8th and January 22nd.

The Town Manager said he is looking to update the Board at a Tri-Board meeting on Jan. 22nd to see where things stand six months in financially so the Town Accountant could close up numbers.

12. AGENDA ITEMS:

13. ADJOURNMENT:

Barbaro moved to adjourn, seconded by Cyganiewicz. With a vote of all ayes, the meeting adjourned at 7:55p.m.

14. EXECUTIVE SESSION:

No executive session was held this meeting.

Respectfully submitted,



Lindsay Kuchta
Recording Secretary

