

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, DECEMBER 17, 2018
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.**

Present:

Audrey LaBrie, Chairwoman
Barbara Anderson
Michael Barbaro

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

Absent:

Austin Cyganiewicz

List of Documents Presented at Meeting:

- Boot Drive Permit Application for Friends of Old Murdock Senior Center (filed)
- ABCC Renewal Certification 2019 (attached)
- Board of Selectmen License Renewal Lists for 2019 (filed)
- Letter from John Shepardson Re: Frozen Water Pipes Dated October 2018 (filed)
 - Letter from Albert Gallant to John Shepardson Re: Tampered Water Meter (filed)
 - Munis Report Re: 79 Hill Street (filed)
- Discharge of Mortgage Detail Re: Christine Murdock; 28 Poplar Street (filed)
- Preview of Way Finding Signs for Town (filed)
- Memo to BOS from Library Trustee Rick Ward Re: Use of Remaining Funds from Library Accessibility Project (attached)
- Letter from John Motta, Vice President of Dynamic Energy Dated: December 12, 2018 Re: Request to Cross Public Way with Electrical Line for Winchendon Ash Street Solar 2 LLC Project (filed)
- Report of the Town Manager (attached)
- Minutes approved:
 - Monday, December 3, 2018 Regular Meeting
 - Monday, December 10, 2018 Special 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 that they were audio recording the meeting tonight.

- 1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:** Barbaro wished all a Merry Christmas and Happy New Year and noted he is looking forward to the anticipation of not having to pay any more bills on the deficit bond in the upcoming year.

Anderson also wished everyone a safe and happy holiday.

- 1.1. Holiday Schedule-** Hickey asked for the Board's direction regarding the differences between union and non-union employees' contracts and the hours required of them to work on holidays or days prior to. The day before Thanksgiving, non-union employees had a full day off while union employees were required to work half a day. Christmas Eve was slated to work the same way but non-union employees would be required to work half a day and union employees would have the day off. Employees are prepared to come in and work but there is a question as to whether we close the building on the 24th and 31st or not. Hickey added he hopes to address the inconsistencies in the policies in union negotiations in 2019.

After discussion, the Board agreed to close Town Hall for Christmas Eve and New Year's Eve.

LaBrie also noted that the Transfer Station will be open regular operating hours during the upcoming holidays; and wished everyone a Merry Christmas and Happy New Year.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS: There were none this evening.

3. PUBLIC HEARINGS: There were none this evening.

4. APPOINTMENTS/RESIGNATIONS: There were none this evening.

5. PERMIT/LICENSE APPLICATIONS:

5.1. Voluntary Toll Booth/Boot Drive Permit for June 1, 2019 – Friends of Old Murdock Senior Center- Moe Ward, member of the Friends of Old Murdock Senior Center, came forward to represent the application. Ms. Ward noted that this will be the Friends of Old Murdock Senior Center's second year of doing this fundraiser, from which all funds go directly to the Senior Center.

Ms. Ward also noted that it is only \$5.00 to be part of the Friends of the Senior Center, and they could use the help.

Anderson stated she believes the Senior Center is probably one of the most valuable assets in town; she enjoys going to the Christmas Festival, and they do so much for senior citizens and are willing to help those who need it. Without them we would be in trouble.

Anderson moved to accept and approve the voluntary boot drive for June 1, 2019, seconded by Barbaro with a vote of all ayes.

5.2. 2019 Board of Selectmen Annual License Renewals- LaBrie noted a spreadsheet was provided for the Board in their packet listing all of the businesses looking to renew their licenses. Ms. Daigle noted all of the required documents have been received by the applicants, with the exception of a few minor documents that haven't been supplied but will be prior to issuing the licenses. She also noted that there are five licenses that are not renewing this year including Salvadore Auto Exchange, Winchendon Mini Mart, Inc., Lucky Dragon, VinLozano Imports, Inc. and S & J Used Motors & Equipment.

Ms. Daigle added that Christos will be applying for a new license as they have reorganized. LaBrie thanked all of the departments and staff for the work done to get the renewals complete.

Anderson move the Board of Selectmen approve to renew the 2019 licenses as presented this evening with the condition that Francesco's Cruisin 12 Diner confirms the business will continue and the licensee fee has been paid and to also execute the "Renewal Certification 2019" form to the Alcoholic Beverages Control Commission, seconded by Barbaro.

LaBrie wanted to ensure that Christos will act promptly on their update with the ABCC to which Daigle replied they will still be able to sell alcohol during the update process, and they have been working on the paperwork; Daigle is hopeful to have the item on the agenda for the January 14th meeting.

By a vote of all ayes the motion carried.

5.3. New Year's Eve Closing for Section 12 Liquor License Holders- LaBrie noted that typically the Board extends the hours for liquor license holders on New Year's Day until 2:00 a.m.

Anderson moved that Board of Selectmen authorize to extend the hours of operation for Section 12 liquor license holders until 2:00 am on New Year's Day, seconded by Barbaro with a vote of all ayes.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS: There were none this evening. LaBrie said perhaps a schedule could be started in January to have department heads come before the Board to update them.

7. NEW BUSINESS:

7.1. Request for Abatement – 79 Hill Street- John Shepardson came forward to represent the abatement. Hickey said in July 2018, the Water Department contacted the Clerk in the DPW office noting irregular water use at 79 Hill Street. On July 18, 2018 DPW employees went to the property located at 79 Hill Street to see why the reading was irregular to find that the water meter had been tampered with. The water usage software showed an issue dated back to January 5, 2018.. A bill was issued to Mr. Shepardson in the amount of \$3,000 for tampering. Hickey explained the meter was located in a crawl space and froze over the past winter and a bypass was installed by someone. The meter was not in use, was broken, cracked and leaking. Mr. Shepardson is stating he called Town Hall several times but never received a call back as well as visited the office but staff was busy at the time. Staff has gone back to look at the call history to see if a phone call was had sometime in January, but no records were found.

Mr. Shepardson stated he did call the DPW office but the phone was dead; he then used his neighbor's cell phone to call the office but the same thing happened. For some time he was borrowing water from the neighbors as he has a farm and animals to tend to. He expected someone would come down to his property as he had left a message so he waited a little while before he ended up taking matters into his own hands and fixed it. He later got a bill from the Town and went to the clerk stating his meter was busted and he needs someone to come down and fix it, and was told someone would be at his house to fix the meter. Mr. Shepardson continued, stating that a yellow tag was left at his door, and he received a call from Al Gallant (DPW Director) asking what was going on with his meter. Mr. Shepardson explained that the meter froze and he had called regarding the situation, which in turn made Mr. Gallant upset. Mr. Shepardson said he had to do what he had to do and he is not trying to cheat anyone. He does not mind paying the water bill, but is just getting back on his feet from being out of work for some time and cannot afford a \$3,000 tampering fee. Mr. Shepardson had assumed his bill was going to be estimated as it was for a better part of twenty-four years. He said he didn't know there was going to be a fine.

Barbaro said he would understand that maybe within the first month if nobody came to his house he would come back to touch base with the DPW. This issue is dated back to July. What he is seeing is a letter dated July 24, 2018. From January to July did it slip your mind that the water meter had not been replaced? Did you come back in April, May ,or June?

Mr. Shepardson said he figured someone would come down to his house. He assumed his water would be estimated again.

Barbaro said the reason Mr. Shepardson's water wasn't being estimated was because the Town wasn't aware the meter was disconnected and was therefore losing money. You have to look at it from the Town's perspective; you're saying you came in but got no reaction and let it go, it could have slipped your mind, I get it; but it is a quarterly bill sent out in April and July. At that point it should have rang a bell that there is a problem and it should be addressed. By not addressing the issue, it makes you look bad. This policy is in place because people try and cheat the system.

Anderson asked Mr. Shepardson how many times he tried to contact Town Hall to get the meter fixed initially to which he replied about three times. Anderson then asked if he left any messages to which he replied, yes.

LaBrie stated according to Robert's Rule of Necessity, in smaller boards of seven members and under the chairman has a different role and is able to partake in the meeting discussion and make motions.

LaBrie moved that the Town waive the tampering fee in the amount of \$3,000 for Mr. Shepardson located at 79 Hill Street. She is more concerned that the water usage is paid for, but understands the severity of tampering with the water meter and is hopeful that Mr. Shepardson understands the severity as well. She also feels that \$3,000 is excessive. ***Anderson seconded the motion***, but thinks it's important to understand that the Board put that fee in place. People who tamper with their meters usually have nefarious intent; though she does not believe Mr. Shepardson had nefarious intent but did it out of necessity.

Barbaro stated he would like to hold off and see if more evidence could be provided that Mr. Shepardson in fact called Town Hall to better help determine his vote. LaBrie stated Barbaro's point is taken, however a motion is on the floor and seconded; unless withdrawn this will be brought to vote.

By a vote of Barbaro no and Anderson and LaBrie aye the motion carried 2-1.

- 7.2. Request to Discharge a 2002 Housing Rehabilitation Lien at 28 Poplar St.- Hickey stated the Request to Discharge is from a 2001 rehab lien on Poplar Street. He is asking for the discharge of the lien.

Anderson moved the Board of Selectmen release the 2002 Housing Rehabilitation Lien on the property located at 28 Poplar Street, seconded by Barbaro with a vote of all ayes.

- 7.3. Presentation of Proposed Wayfinding Signs- Hickey noted Tracy Murphy, Director of Planning and Development, had put together a Wayfinding subcommittee. The signs being presented to the Board tonight are recommended by the majority of the subcommittee. "Welcome to Winchendon" signs will be placed at major intersections coming into town and other signs will be placed accordingly to direct people to town buildings. The town had received a grant to allow us to work with a professional who, among other things, puts together sign packages for communities. We want consistent signage throughout the town whether it be "Welcome to Winchendon" or signs in front of town buildings and other directional signs. There was a lot of debate with the committee on the color scheme of the signs, whether there should be foliage or not in the trees and the red color of the signs. The red was chosen to match the newer street signs in town. The subcommittee would like the Board's approval to move forward. Hickey added that he has a funding application out to the Robinson-Broadhurst Foundation for these signs. The results won't be in until later next spring.

LaBrie noted she does not like the red, and asked how sign location would be determined. Hickey replied there will be directional signs placed in different parts of town such as Blair Square. LaBrie then asked what the estimated cost is for the project to which Hickey replied his grant request to the Robinson-Broadhurst Foundation was for \$35,000. He is requesting a high amount to ensure that when the job is done, it is done completely and thoroughly. Any excess funds can be returned or used for a future project.

Les Goodrich, a member of the Wayfinding Subcommittee, noted that there was a lot of discussion to get to this point. We are trying to move into the 21st century and keep Clyde in there.

Hickey stated that he and the subcommittee will work on getting more foliage in there but do not want the signs to be too distracting. He also noted that Murphy has done a great job at getting the grant as it is super competitive, and the person who is doing the project has been able to point us in a good direction to help represent the community well.

Murphy noted the receivable from the grant aspect is what the town will get at the end; a wayfinding and town plan. The last meeting had, they sat down and focused on the downtown area. We will eventually expand past the downtown area and get a booklet and have reference in the future.

LaBrie thanked the subcommittee and Hickey for all of their work.

Barbaro moved for the Board to approve the wayfinding signs presented this evening, seconded by Anderson with a vote of all ayes.

- 7.4. Discussion on Use of Remaining Library Accessibility Funds with Library Trustees- Hickey briefed the Board on the Library project. Library Trustee Rick Ward came forward and thanked the other trustees and Library Director Manuel King for all of the work done on the project. He continued on, stating the Trustees are before the Board tonight to discuss how excess funds from the Library Accessibility Project could be used. Present tonight is Ron Muse, Cindy Darcy, Suzanne Radar, and Jane LaPointe. The Trustees are asking that the amount of \$76,000, which is estimated will be remaining from the project, be turned over to the Library to be used to help complete the Children's library, a project estimated to cost about \$488,000. The \$76,000 and an additional \$20,000 from another fund held by the Trustees would go

towards the project, as well as potential funding from the Robinson-Broadhurst Foundation in the amount of \$200,000 which the Trustees have applied for. About 25% of the Children's library was lost during the construction of the Accessibility Project; the intent is to move the Children's room to the basement and utilize the space upstairs for reading fiction and other activities of the sort. Since the maximum amounts stipulated by the trustees were not needed for the Accessibility Project, the Trustees feel that the excess funds should be returned to the library.

After further discussion, the Board agreed it was appropriate to turn the remaining funds to the Trustees.

Barbaro moved that the Board authorize the Library Trustees to retain any remaining unexpended funds from the Accessibility Project to expend said funds for a future Children's Room Expansion Project, seconded by Anderson with a vote of all ayes.

- 7.5. Request Board of Selectmen Approval for Developer to Trench Across Ash Street for Solar Project-
Hickey noted Dynamic Energy currently has a project underway on the lower side of Ash Street, and a connection needs to be made. The developer would like to dig a trench underneath the street that, by recommendation of DPW Director Al Gallant, will be trenched and cemented under the road. Hickey is looking for the Board's approval for the electrical connection to be made.

After discussion, the Board stated they agreed with the project as any maintenance needed will be taken care of by Dynamic Energy.

Barbaro moved the Board approve the Developer to trench across Ash Street for the Solar Project as outlined this evening, seconded by Anderson, with a vote of all ayes.

- 7.6. Town Manager Evaluation- ***Barbaro moved that the Board take this item off of the agenda for tonight and address it in January, seconded by Anderson.***

LaBrie apologized that she hasn't sent the evaluation to the Board yet. She will work on getting that taken care of and asked that the Board submit the evaluations to her just after the first of the year so she can compile them and present them for the first meeting in January.

By a vote of all ayes, the motion carried.

8. **OLD BUSINESS:** There was none this evening.

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

1. **Financial Updates-**

- a. There are no financial updates this week.

2. **Personnel Updates-**

- a. Maurice "Red" Leblanc is retiring from the Public Works Department on December 21st.
b. Part time Planner Chantel Fleck has resigned effective December 20th.
c. Water Operator Chad Kelley has resigned effective December 26th.

3. **Project Updates-**

- a. The Town's street light project consultant has completed their report on the estimated project savings now that the LED lighting has been installed. They expect the Town to save \$66,153 annually in electricity savings. There are approximately one dozen street lights remaining to be upgraded. That work will be completed by the Templeton Light and Water Company by the end of January and costs will go from \$75,000 to about \$8,000 a year.

- b. The Town will not be submitting a CDBG application this year. Staff was seeking to reconstruct Maynard Street along with replacing the existing water and sewer lines. Community Development staff attempted to obtain income verification from the residents of Maynard Street numerous times beginning in August. Surveys were mailed twice and staff went out in person several times in attempts to obtain all the information necessary. Ultimately not enough of the residents of Maynard Street completed the survey to be eligible to apply for the grant.
- c. A grant has been filed with MassDevelopment in the amount of \$200,000 for site remediation at 275 and 283 Lincoln Ave. Extension.

Hickey added that the Town is looking to identify a game plan to address the contamination anticipated to be at the properties located on Lincoln Ave. Extension. Hickey and Building Inspector Geoff Newton met on Thursday on the site with asbestos specialists and walked in and around the two properties. Asbestos was found at 275 Lincoln Ave. Extension. Additionally, asbestos wrapped piping was found at 283 Lincoln Ave. Extension. He is hopeful to get a price from the contractor later this week to see what the cost of asbestos remediation will be.

- d. The Fire Station Renovation Study Request of Qualifications will be advertised during the week of December 17th with a due date of January 31st. I would like to have a small committee established that would include a Selectman and Finance Committee member.

Hickey stated if a Board member was interested in being a member they should notify the chair.

4. Miscellaneous Updates –

- a. The Wastewater Department received a \$9,650 grant from MIIA for the purchase of a surge and lightning protection device at the plant to eliminate the risk of damage from future lightning strikes and power surges. Wastewater equipment has been damaged in the past from lightning strikes.

Hickey added that property liability insurance has covered us with the exception of the deductible, and MIIA has agreed with the application to significantly minimize the risk with this type of surge protection installed. Thanks go to Al Gallant and Linda Daigle for their work putting the information together.

Hickey also mentioned significant damage was done to a plow truck while plowing an unaccepted town road. The Town is working with MIIA to see if the truck can be replaced or repaired. There is a \$1,000 deductible, the remainder will be paid for by MIIA. With that said, we have asked neighboring communities how they handle this sort of situation; other towns will not update the road until those who reside on that road improve the conditions. The Town is asking those who live on unaccepted roads to make temporary repairs so our trucks don't get damaged unnecessarily by the road conditions. We are hopeful that to those who it pertains to understand.

Hickey wished all a happy and safe Christmas and New Year's season and thanked the Board for a very productive and successful year.

Barbaro asked when the asbestos company sends their estimate on remediation will it be for both of the properties to which Hickey replied it will be more complete on the building owned by the Town. The Building located at 283 Lincoln Ave Extension we will need to tear the building down to make it safe and go back to do a more thorough study of whether or not there is any asbestos or other contaminants within. The challenge is the project is getting more expensive and we are going to have to figure out how to fund it moving forward.

Barbaro then asked if all of the funds being spent are going to be put towards the property lien to which Hickey replied yes, all of the expended funds are being tracked. Barbaro stated he would like to move quickly on this building to which Hickey replied the town can make it safe, meaning potentially knocking down the wall that faces Lincoln Ave. Extension and fencing off the remainder. Hickey is hopeful that all of this work can happen at the same time to avoid extra expenses; Building Commissioner Geoff Newton has deemed the catwalk as structurally sound. We are hopeful to get the abatement cost and get a better idea of what can and cannot be done in the next week.

Anderson stated that she would like to serve on the Fire Station Renovation Committee.

10. **MINUTES:**

10.1 Monday, December 3, 2018 Regular Meeting- *Anderson moved to approve the minutes of December 3, 2018 seconded by Barbaro with a vote of all ayes.*

10.2 Monday, December 10, 2018 Special Meeting- *Barbaro moved to approve the minutes of December 10, 2018, Special Meeting, seconded by Anderson with a vote of all ayes.*

11. **COMMUNICATIONS:** There were none this evening.

12. **AGENDA ITEMS:** The Board meets next on January 14, 2019 and January 28, 2019.

13. **EXECUTIVE SESSION:** *Anderson moved to enter into Executive Session under Exemption #3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares, and to reconvene into Public Session for the sole purpose of adjournment, LaBrie so declared, seconded by Barbaro. By roll call vote of Barbaro aye, Anderson aye, and LaBrie aye, the Board entered into Executive Session at 8:02 p.m.*

14. **ADJOURNMENT:**

Respectfully Submitted,



Lindsay Kuchta
Administrative Assistant

