

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, JULY 29, 2019 6:30 P.M.
Town Hall, 4TH Floor Conference Room
109 Front Street, Winchendon, Mass.**

Present:

Audrey LaBrie, Chair
Barbara Anderson, Vice-Chair
Amy Salter
Rick Ward

Keith R. Hickey, Town Manager
Linda Daigle, Executive Assistant

Absent:

Mike Barbaro

List of Documents Presented at Meeting:

- Board of Selectmen's Appointed Committees & Boards - List of Vacancies (filed)
- Wendell P. Clark Memorial YMCA May 25th Boot Drive Follow - Up (filed)
- Mill Circle Equestrian Center, Family Fun Day – August 17th (filed)
 - Entertainment Permit Application
 - Special One Day Malt Liquor License Application
- Update from Director of Development Tracy Murphy (filed)
- Application for Abatement of Water and/or Sewer Charges – 126 Central Street (filed)
- Report of the Town Manager (attached)
- Minutes approved:
 - Monday, July 29, 2019 Regular Meeting

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

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

1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:

Ward reminded everyone the Senior Center is having a free concert on July 30, 2019 at 10:30 a.m. with Dan Kirouac. He will be playing acoustic guitar and singing music from the 50s and 60s. The event is free, but donations of non-perishable items for the food pantry are appreciated.

Anderson thanked all individuals who donated to and volunteered for the Kiwanis backpack program; the community stepped up with the recent incident that took place at the Church. She also noted there is one more concert at the gazebo this Friday in addition to the summer concert series list.

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

3. PUBLIC HEARINGS: There were no public hearings held this evening.

4. APPOINTMENTS/RESIGNATIONS:

4.1. Board of Selectmen's Appointed Committees & Boards - List of Vacancies – LaBrie read through the vacancies on the Board's appointed Boards and Committees and asked anyone that might be interested to contact the Town Manager's office or go online for the application. She thanked those who have stepped forward.

5. PERMIT/LICENSE APPLICATIONS:

5.1. Wendell P. Clark Memorial YMCA May 25th Boot Drive Follow-up – Dave Connor, Trustee of the Clark Memorial YMCA, came forward for this report. He mentioned the summary provided to the Board and stated it was the best boot drive yet for them. They raised almost \$1,100 in three hours. He looks forward to this fundraiser each year. The Clark's goal is to raise \$30,000 to go directly towards scholarships for members that might not be able to afford it. Last year, \$50,000 in subsidies were given out to local families. The Clark has been in existence for 66 years, and looking at its 4th generation. We continue to generate programs and will be a part of the community for generations to come, just as Wendell P. Clark had hoped. Mr. Connor thanked the Board, and noted donors at the boot drive were given free day passes as a thank you, and to give individuals an opportunity to come see the facility. Over 600 day passes were given out.

Anderson thanked the Clark for everything they do, it is an important part of the community for the kids.

5.2. Mill Circle Equestrian Center, Family Fun Day – August 17th

5.2.1. Entertainment Permit -- Special One-Day Malt Liquor License – Pattie Lessard, Founder and Director of Mill Circle Equestrian Center, came forward with Shelley Wilson who is on the event committee. Ms. Lessard thanked the town as she has felt so welcomed. Everyone has been willing to help them out from the permitting process at Town Hall to the community itself; including Selectwoman Salter and her family, and the community coming out to volunteer. Ms. Lessard offered some information about the center, stating it is a non-profit 502c3 in effect 2018, and has specialized in therapeutic horseback riding for 30 years. The largest population served are the veterans, and funds are raised for the veterans to come out and participate at no charge to them or their families. The center also provides learning activities and horseback riding lessons. She hopes the event scheduled for August reaches more young people, veterans, and their families.

LaBrie stated the notes provided for the Board mention the food vendors will need their temporary food service permit and any chemical toilets will need to be permitted as well.

Ward asked if the three neighbors were aware of the event and the music that night. Ms. Lessard replied that the event is from 5:00 P.M. to 8:00 P.M. and that one neighbor was not living their full time, they have been knocking on the other neighbor's door but have not gotten a response yet, and the last neighbor was well on board with the event.

Salter mentioned that she has been out to the facility, and it has brought life back to Mill Circle. She said it is amazing with a beautiful barn and a great program.

Anderson asked about the parking and how many people she expected. Ms. Lessard replied she is hoping for about 100 people and that she has parking arranged across the street at the old mill factory; she has an agreement with Amelia and John Giovani utilizing their parking lot.

Anderson moved to approve the Entertainment Permit and the Special One Day Malt License for Mill Equestrian Center for the Family Fun Day on August 17th, 2019, seconded by Salter with a vote of all aye.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENT

6.1. Update from Director of Development Tracy Murphy – Ms. Murphy came forward and thanked the Board for having her. She reviewed her department update, introduced her office staff, and the primary focuses of her department: Economic and Community Development, Planning and Zoning. Murphy stated she has found our best assets are our quality of life; she is finding that agriculture and recreation are becoming more of an economic base. Her focus has been on improving what they have, and supporting those who have been here for a while; what can their department do to support them and support other businesses to come to town. Murphy continued, stating the different initiatives and the effects of those initiatives on the office and community.

Economic Development:

Pro-Development Initiatives – Streamlining the Permitting/Development Process:

- a. Land Use Coordinator Position– increased department Communication/shared review
- b. Permit Guidebook – outline development process
- c. Integrate LID/MS4 requirements into cohesive design standards

Site specific initiatives:

- a. MassWorks Grant – Hillview Business Park
- b. Central St. – TIP/Revitalization
- c. IGA – Reuse/Food Hub
- d. 325 Lincoln Ave Ext./remediation –Pad ready site
- e. Poland/Streeter Schools – eliminate blight/provide housing
- f. Regulations for Priority Development Areas (PDA) & designate Priority Preservation Areas (PPA), subsequent zoning modifications.

Pro-Business Initiatives – Promote existing businesses and attract potential business:

- a. Organizing FALLFEST – Showcase what Winchendon has to offer the region
- b. Improve/establish town relationship with Greater Gardner Chamber/North Central Chamber
- c. Branding and Wayfinding Plan
- d. Public Right of Way improvements/walkability
- e. Small Business Saturday Support
- f. Organize Ribbon Cuttings
- g. Work towards evolving WRA mission
- h. Expand Energy Efficient programs – EV Charging Stations
- i. Central St. Parking/alternatives

Community Development:

Current Grants- Breezeway Farm Consulting, Inc. out of New Salem, MA currently administers the FY16 and FY17 CDBG grants. The final projects in both grants have just recently been completed. Both grants are expected to be closed out by September 30, 2019.

Future CDBG applications - There are 2 National Objectives that CDBG grant applications typically applied for.

- a. LMI – a project that benefits at least 51% **low/moderate income** persons. (income surveys)
- b. Elimination of slum and blight.(project must be in the area designated as slum & blight)

More monies are earmarked for LMI making Slum and Blight applications very competitive. A detailed overview of the program can be found at:

<https://www.hudexchange.info/resource/269/basic-cdbg-for-states/>

Again, each of the focus areas of the Planning & Development Department come into play in furthering community development efforts. Specific efforts put forth/in process by the department to support Community Development activities include:

Identifying Needs –

- a. Update Slum & Blight Designation for downtown area/expansion needed
- b. Update Community Development Strategy
- c. Public Right of Way – qualifying projects
- d. Work with Toy Town Community Partnership to increase public participation/awareness of the program

Ongoing Efforts –

- a. Capital Improvement commitment for engineering/design – requirement for some infrastructure projects.
- b. Explore creative uses for CDBG funding/ healthy eating initiatives, leverage with other funding

Planning/ Zoning

The purpose of zoning is to promote the health, safety, and general welfare of a community, to protect and conserve the value of buildings, and encourage the most appropriate use of the land. The principal document that guides what is deemed important and appropriate is a town's Master Plan.

Master Plan Update-

Since 2014 the Town of Winchendon has been undergoing an update to the Master Plan. The goal of the update is to provide a document that provides accessible planning information to members of the public. The 2 volume format will provide an easy to read, condensed volume 1 that includes qualitative information that illustrates goals, strategies to achieve the goals and outlines responsibility for implementation. Volume 2 supplies the quantitative data that supports Volume 1. Historically, the amount of information found in the quantitative analysis is what makes the typical Master Plan format overwhelming.

Funding for this project has been through numerous District Local Technical Assistance (DLTA) grants and the generosity of a \$22,000.00 grant through the Robinson-Broadhurst Foundation. A typical update performed by consultants can cost a town upwards of \$100,000.00 and takes on average, 18-24 months to complete. To date, the town's effort has cost the taxpayers less than \$500.00. While the monetary cost to date is low, the price has been the time it takes to finish the project in this manner. The Planning & Development Department is thankful for the dedicated and committed members of the Master Plan Committee, the patience of the Planning Board and feel that the finished product will be worth the wait. Anticipated completion is the end of 2019.

General Code-

Through the generosity of the Robinson-Broadhurst Foundation and the work of the Town Clerk's office, all Planning & Development regulations are being reviewed for inconsistencies. This is NOT a re-write but an effort to clarify discrepancies.

Low Impact Development (LID) Bylaws/MS4 -

At present, the Low Impact Development bylaw is implemented through a completely separate set of regulations outside of Site Plan or Sub-Division Approvals. Low Impact, rather than a process is a design standard and to be effective must be considered on a site specific basis. The department is in the process of creating drafts for the Planning Board to consider to integrate the Low Impact Development Regulations into the Subdivision and Site Plan Approval Rules and Regulations. While doing this, MS4 requirements are being included in all regulations.

Special Permit Granting Authority-

At present, the Zoning Board of Appeals is the Special Permit Granting Authority unless otherwise specified in the Winchendon Zoning Bylaws. The process and considerations in granting a Special Permit mirror those of Site Plan Review. Should the Planning Board consider amending the Zoning Bylaws to designate the Planning Board as the Special Permit Granting Authority, great strides in streamlining the permitting process will be achieved while creating a local appeals process.

Rezone –

Once complete, The Master Plan will guide where re-zoning should be considered. One such place evident through numerous variance requests is amending the R40 zone to R10 at the lake.

LaBrie thanked Murphy for her very thorough report. Ward commended Murphy and her folks for what she is doing for the Town; it is critical for the survival of the Town and he is happy to see someone painting downtown.

Anderson asked why the department didn't do "Small Business Saturday" last year, to which Murphy replied the first year was very busy but the second year was not. She will check with Land Use and Planning Clerk Nicole Roberts to see why it didn't work out. Anderson then suggested they maybe coordinate with another event happening such as the tree lighting.

Additionally, Anderson stated she would like to see bike racks in town. Hickey asked Anderson where she would like to see them to which she replied near Town Hall, the Post Office, and the Unitarian Church. Hickey stated bike racks are easy and can be taken care of by the end of August.

The Board thanked Ms. Murphy for her report.

7. NEW BUSINESS:

7.1. Application for Abatement of Water and/or Sewer Charges – 126 Central St. – Jill Sacket

came forward on behalf of the Universalist Church. Ms. Sacket noted they are a small congregation, but have been increasing their community centered services as it is part of what they do. The Church runs on an austere budget; the entire annual budget is \$36,500 and a third of that is spent on insuring and heating the building. Typically the Church has a small water usage. When a bill in the amount of \$1,725.39 came in last year, they were stunned and began to investigate why the bill was so high. Bottom line is the water was consumed or used. People of the Congregation checked everything and the only suspect thing found was a running toilet in the men's restroom. The Church does not have a rainy day or slush fund, and the bill is crippling for the church. We do not deny water wasn't used but they are asking for the Town's mercy and help. Additionally, Ms. Sacket noted the Church has come across restoration and repair needs that cannot wait any longer.

Ward noted he went through the documents three or four times looking for some avenue to alleviate the problem; it was not a faulty meter, no construction on the street, not even an act of nature. He appreciates everything the Church does, but cannot see how the Town can absorb this without setting a precedence going forward.

Anderson stated she has a lot of thoughts. Logically and rationally she agrees with Ward; but when you look at the facts, the Church does a lot for the community, almost without recognition. To put the church in a tough position after all they do for the community is hard for her. Salter agreed with Anderson, but does not know where the money would come from. Anderson replied the rate payers would provide the funds. Salter noted the Board cannot make that decision for rate payers.

After further discussion, Hickey noted that the tax office did indicate there would be no fees or interest charged and asked if the Board could legally waive the interest and fees on an approved payment plan. At that time Anderson asked to hold on making a decision as she would like to know whether the Board can waive the interest and fees. Hickey said he could get the information for the next meeting; Ms. Sacket was agreeable to waiting. LaBrie assured her that no fees would be assigned. Salter asked DPW Director Al Gallant if he had anything to add; Mr. Gallant came forward and stated he has a job to do and feels bad that he cannot help her.

The issue will be continued at the next meeting August 19, 2019. Ms. Sacket was thanked for attending.

- 7.2. Amend the Current Employment Agreement with Police Chief David Walsh – LaBrie noted the Board would be addressing this item in Executive Session on August 19, 2019.

Anderson moved to postpone the item to August 19, 2019, seconded by Salter. With a vote of all aye, the motion carried.

8. **OLD BUSINESS:** There was no old business this evening.

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

1. **Financial Updates-**

- a. Winchendon will be reimbursed from FEMA later this fiscal year in the amount of \$32,744 for costs incurred associated with a March 2019 winter storm.

2. **Personnel Updates-**

- a. Interviews for the Assistant Town Accountant position will be held on July 31st.

3. **Project Updates-**

- a. The Water Department has repaired 29 of the 36 out of service hydrants. The remainder will be repaired by the end of fall.

Hickey added the Water Department has a lot of work to do. Anderson thanked Mr. Gallant. Hickey gave kudos to the Water Utility Department as they are testing on an annual basis which decreases the number of issues to be had in the future.

- b. KP Law is creating a report of current litigation and a brief description of what it is and the status. That report will be completed sometime this week. Once I receive the report I will forward it to the Board.

4. **Miscellaneous Updates –**

a. The Town received notification from Comcast that they would like to commence discussions on negotiating a successor agreement in the near future. In the past a committee was formed to negotiate with Comcast. The Board needs to decide whether to form a committee or allow the Town Manager to negotiate the contract. The normal process includes:

1. The Town will conduct an ascertainment proceeding allowing residents the opportunity to identify future cable related needs and review Comcast's performance under the current agreement.
2. Once Comcast presents a draft cable agreement the public is afforded "adequate notice and opportunity to comment on the renewal proposal and choose to renew the agreement or issue a preliminary denial, which triggers a further formal process."

It was noted that the Board will hold a Public Hearing to comment on the renewal. The current franchise agreement expires July 15, 2022.

Hickey added there is not a lot to negotiate; center on franchise revenue each cable provider pays and percentage use for local access television. This can be scheduled as an agenda item in the future and the Board can make a decision on negotiating. LaBrie asked if this falls under the Communications Committee to which Hickey replied yes, it can. Anderson stated she believes the Communications Committee should be involved.

b. The Animal Control Officers have been completing farm inspections on nearly a weekly basis. The last four inspections were on June 25th, July 11th, 15th and 20th. As of July 20th there are 14 animals left at the farm.

Additionally, the Town is dealing with the ownership and care of some animals and are challenged with a lack of cooperation from the owners themselves. Hickey's understanding is an agreement has been reached between the Veterinarian and owners to have the animals removed. The police and animal control officers will go down to the site to see if it has occurred. It has taken some time, but with the help from the State Departments, Building Commissioner, Animal Control Officers and the Police, progress has been made.

Hickey noted Winchendon's Annual Fall Festival is scheduled for October 12, 2019. Prior to that, the dedication of Grout Park will take place at 9:00 A.M. The hope is the dignitaries invited to Fall Fest can also attend this dedication. He mentioned the 50 foot flag pole now standing is without a flag, and it will be raised for the first time October 12, 2019 by Dr. Grout in honor of her family.

Anderson asked about the new Sally Port entrance and noted it is looking very narrow and might be a difficult left turn to take. Hickey replied it could be a tight left hand turn into the Police Department, but engineers located the sally port for proper turning radius for vehicles. He is sure it might be tight, but believes it shouldn't be an issue for police officers to manipulate.

Ward asked Hickey if there was any interest in the three vacant positions on the Finance Committee, to which Hickey replied interest has been expressed by one individual, but none others have expressed interest. Anderson noted how important it is to fill these Boards.

10. MINUTES:

10.1 Monday, July 8, 2019 Regular Meeting – *Anderson moved to approve the minutes of July 8, 2019 Regular Meeting, seconded by Ward. By a vote of all aye the motion carried.*

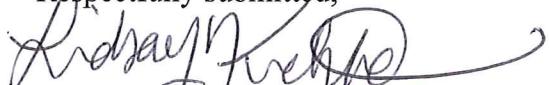
11. COMMUNICATIONS: There were no communications this evening.

12. AGENDA ITEMS: LaBrie noted the next meeting is scheduled for August 19, 2019.

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

14. ADJOURNMENT: *Anderson moved to adjourn, seconded by Salter. With a vote of all aye, the meeting adjourned at 7:41 P.M.*

Respectfully submitted,



Lindsay Kuchta

Recording Secretary