

Approved: 6/22/2020

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, JUNE 8, 2020 6:30 P.M.**

**-- Conducted by Remote Meeting --
Zoom Meeting ID: 963 0416 9907**

Present:

Audrey LaBrie, Chairwoman
Barbara Anderson, Vice-Chairman
Amy Salter
Rick Ward
Michael Barbaro

Keith R. Hickey, Town Manager
Linda Daigle, Executive Assistant
Taylor Tower, Admin. Assistant

List of Documents Presented at Meeting:

- Introduction to Remote Meeting (attached)
- Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20 (attached)
- Little Anthony's Application for Extension/Alteration of Premises for Outdoor Alcoholic Beverages Service (filed)
- Planning & Development Annual Update (attached)
- End of Year Budget Transfers for FY'20 (attached)
- Eleanor Florio Riverside Cemetery Deed Donation (attached)
- School Department FY'21 1/12 Budget (July – September) (attached)
- Report of the Town Manager (attached)
- Minutes approved:
 - Thursday, May 28, 2020 Tri-Board Meeting
 - Monday, June 1, 2020 Regular Meeting
 - Monday, June 1, 2020 Executive Session

Due to Governor Baker's recent Executive Order and state of emergency declaration with the outbreak of the Coronavirus (COVID-19), this meeting was conducted remotely through Zoom Meeting. The public was notified how to join the meeting through instructions noted on the agenda.

Chairwoman, Audrey LaBrie, called the meeting to order at 6:30PM.

LaBrie confirmed members present and persons anticipating to speak by calling their name and asking for a response in the affirmative: Ward, yes; Salter, yes; Barbaro, yes; and Audrey LaBrie, yes. Staff members present and responding in the affirmative were Keith Hickey, Town Manager, Linda Daigle, Executive Assistant, Taylor Tower, Administrative Assistant, Joan Landers, Superintendent of Schools, and Tracy Murphy, Director of Planning & Development.

LaBrie asked each speaker this evening to please state their name before each presentation, comment or question and that all votes would be taken by roll call.

LaBrie read the "Introduction for Remotely Conducted Open Meetings" which noted Governor Baker's recent Executive order of March 12, 2020 and outlined the guidelines and ground rules for the meeting this evening.

LaBrie advised all participants that the meeting was being recorded and cautioned screen sharing. When asked if anyone besides the Town was video or audio recording the meeting, there was no response.

- 1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:** Ward wished to remind those listening that Annual Town Election is a week away and will be held from 8:00 a.m. to 8:00 p.m. at the Old Murdock Senior Center.

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Barbaro asked all those tuned in to take a moment to recognize what is happening in the country. There have been many protests due to the unfortunate passing of a gentleman at the hands of the police, a cause which he is sympathetic to. He said it is very important to know that the intent of peaceful protests is to bring about change, while violent protests take away from the cause. Peaceful protest is our right as citizens and we need to make sure we continue on the path of change toward racial equality in our country.

LaBrie informed the Board that she participated in the Class of 2020 High School graduation parade; it was beautiful and moving; and she extended her congratulations to all graduating seniors.

2. **PUBLIC COMMENTS AND ANNOUNCEMENTS:** None were heard.

3. **PUBLIC HEARINGS:** There are no scheduled public hearings this evening.

4. **APPOINTMENTS/RESIGNATIONS:**

4.1. Board of Selectmen Board and Committee Appointment Renewals for July 1, 2020 – LaBrie read aloud a list of appointments due to expire on June 30, 2020. Ward noted that his position as the Selectmen's representative on the Montachusett Regional Planning Commission is due to expire and he is willing to continue serving in this capacity if no other members wish to take over.

Ward motioned to continue in his term as Montachusett Regional Planning Commission, seconded by Barbaro. With a roll call vote of Anderson, aye, Salter, aye, Barbaro, aye, Ward, aye and LaBrie, aye, the motion passed unanimously.

Town Manager Keith Hickey indicated that he is willing to continue his terms on the Monthachusett Joint Transportation Committee (MJTC) and the Montachusett Regional Transit Authority (MART). **Barbaro motioned to appoint Keith Hickey to his terms on the MJTC and MART, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Barbaro, aye, Ward, aye and LaBrie, aye, the motion passed unanimously.**

Barbaro moved to re-appoint the presented list of current members to the Boards and Committees specified for the selected terms beginning July 1, 2020 and to thank the volunteers for their continued service, seconded by Ward. With a roll call vote of Anderson aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye, the motion carried unanimously.

Barbaro motioned to authorize the Town Manager to sign the appointment slips for all the Boards & Commissions of this town for the year beginning July 2020, seconded by Anderson. With a roll call vote of Anderson aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye, the motion carried unanimously.

4.2. Conservation Commission Appointment- Brian Croteau – The Board passed over this item.

5. **PERMIT/LICENSE APPLICATIONS:**

5.1. Little Anthony's Seafood Emporium, Inc. – Extension/Alteration of Premises for Outdoor Alcoholic Beverages Service – Marla LaGrassa, owner of Little Anthony's, was present. She is seeking an Extension/Alteration of Premises for the Outdoor Alcoholic Beverage Service. This alteration will allow Little Anthony's to serve alcohol to outside customers consistent with the recent modifications to the COVID-19 guidelines. Ward asked the dimensions of the outdoor pavilion, which Daigle answered it is 60' x 20'. Ward asked if the tables will be six feet apart. LaGrassa replied that she had met with the Building Inspector and the Health Inspector and met their criteria; and that tables will be six feet apart. The hope is that they can seat 36 people at a time, as the tables are six feet apart with a maximum of six guests per table. Anderson asked if this permit was unique to Little Anthony's and recalled that the Board had previously issued a BYOB license for this establishment. LaBrie said that the Board will need to temporarily suspend the BYOB license to allow this amended license to take place. When this license expires on November 1st or upon revocation of the ABCC, the BYOB license will be reinstated. LaBrie asked the Board to consider waiving the \$150 license amendment fee, considering the extenuating circumstances. Anderson inquired if Little Anthony's needed a new license, to which Daigle answered that if this amendment is approved, it will extend the liquor license to the outdoor premises, and an amended license will be issued. She explained that since the fee is charged to

process the hearing and send notices, and that is not necessary due to the current COVID-19 guidelines by the ABCC, it is not necessary to charge a fee.

Barbaro moved to approve Little Anthony's Seafood Emporium, Inc. request for an Extension/Alteration of Premises for Outdoor Alcoholic Beverages Service commencing with the Governor's declaration of Phase II of the Commonwealth's plan to reopen workplaces through November 1, 2020 or until the Governor rescinds this order and as presented this evening, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Barbaro, aye, Ward, aye and LaBrie, aye, the motion passed unanimously.

LaBrie asked to add to the motion the language of waiving the application fee and the temporary suspension of the current BYOB license. Daigle asked the Board to grant the Town Manager the authority to sign this license amendment on their behalf. Barbaro moved to amend his motion to include the aforementioned language, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Barbaro, aye, Ward, aye and LaBrie, aye, the motion passed unanimously.

- 5.2. Discussion of Town Manager Authorization to Review and Approve Extension of Premises for Outdoor Alcoholic Beverage Service for Current License Holders – This motion is before the Board in an effort to expedite the license amendment process to allow restaurants to conduct business and get back on their feet. Barbaro said that this is important to keep the businesses in Town up and running. The owners and staff have been out of work for months and it is important to do whatever possible to get them back and open. LaBrie noted that the Board is putting a lot on Mr. Hickey's plate to execute documents on their behalf, but considering the time and situation, the faster these can be signed, it is helpful to expedite the process. Ward agreed and expressed it is fair to waive the fee.

Barbaro moved to grant authorization to the Town Manager to review and approve any applications he deems reasonable and proper in accordance with the Governor's Order in re-opening Phase II Workplaces for an extension/alteration of on-premise license holders to temporarily commence outdoor table service through November 1, 2020 or until the Governor rescinds this order, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Barbaro, aye, Ward, aye and LaBrie, aye, the motion passed unanimously.

LaBrie asked Hickey to keep the Board apprised of any license amendments approved; to which Hickey answered "absolutely".

- 5.3. Revisit of Boot Drives/Permits Rescinded Due to COVID-19 – Maureen Ward of the Friends of Old Murdock is before the Board seeking to reschedule a boot drive for September 5, 2020. This permit had been previously approved but was forced to be rescheduled due to COVID-19. Ms. Ward said that due to the current state of the virus, they will be rescinding this request. Mr. Ward said that FallFest was cancelled due to an inability to control the crowd, and he feels the Board needs to move to cancel all boot drives until 2021. Anderson agreed.

Ward moved to decline approval of any boot drives for the remainder of 2020, seconded by Anderson. Barbaro expressed he did not wish to take this action; as establishments are opening and proper protocols are made available, we do not know what will happen. He would hate to see boot drives not allowed in that case, especially when they could utilize safety measures such as gloves and facial masks. He wished to see them have the ability to come before the Board and state their case. Hickey stated that he assumed if the Board approved this motion, they would authorize his department to notify all permitted boot drive organizers of their decision. LaBrie asked how many have been approved; to which Daigle answered only 2. Anderson stated there is a high risk of contamination in the transfer of cash, and there is significant risk involved. She prefers that the Board errs on the side of caution. She advised the boot drive organizers to try again next year and maybe even try twice. With a roll call vote of Anderson, aye, Salter, aye, Barbaro, aye, Ward, aye and LaBrie, aye, the motion passed unanimously.

LaBrie asked Mr. Hickey to inform any potential applicants that the Board will not be permitting any boot drives for the remainder of the calendar year.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENT:

- 6.1. Annual Update from Director of Development, Tracy Murphy – Tracy Murphy presented to the board the annual update of the Department of Planning & Development. Her Department employs three positions currently. The biggest staff change this year was when the Town Manager combined the two part-time positions of Planning Agent and Conservation Agent. Murphy's department represents the Town in various committees and grant programs. The Conservation Commission holds meetings on second Thursdays of the month, which are currently hosted via Zoom. During this pandemic, most of the committee's business has been due to homeowners attempting to make home improvements while they are home from work. There has been an increase in wetland violations, which Murphy attributes to lack of knowledge rather than malicious intent. In response to this, the Planning Department created a "Did You Know" campaign on social media and the cable channel in an effort to bring awareness of wetland rules and regulations. Murphy noted that some of the wetland violators have contacted her department and they have devised a plan to mitigate the damage. Alison Manugian, the Planning & Conservation Agent, has been working with the Conservation Commission to establish a protocol. Their biggest detriment currently is their lack of membership which leads to a lack of quorum. When they are unable to hold meetings, they are unable to complete important business which leaves homeowners waiting to make updates or changes to their properties. In response to Murphy's email seeking candidates, there are currently some volunteers stepping forward, which is promising. The Planning Board is currently holding all meetings and public hearings via Zoom. Due to the pandemic, no zoning amendments are permitted.

The overall ongoing activities of the department include public awareness and the consistent effort to improve process and transparency. Murphy and Nicole Roberts, Land Use Coordinator, are disappointed and upset to have had to cancel the FallFest. The Toy Town Community Partnership was delighted to have been awarded a \$10,000 grant to install large toys around Town. They are currently working with an artist to devise a contract.

LaBrie asked if the Central Street Reconstruction is still on track to begin next year. Murphy answered yes. Ward noted that he sees the Master Plan is in its final edits and asked when completion is anticipated. Murphy hopes to see it finalized next month but was not able to make any guarantees. Ward asked how the Veteran's Housing project at the Poland/Streeter schools was moving along; Murphy noted that the contractor's team has been in contact requesting site information, surveys and infrastructure information. Barbaro thanked Murphy and her staff for their diligence in sourcing as many grants as possible.

Hickey asked the Board to consider taking the School Department budget out of order so that Landers could be dismissed. LaBrie was amenable to entertaining the motion. **Barbaro motioned to take out of order the School Department's 1/12 budget, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye, and LaBrie, aye, the motion carried unanimously.**

7. OLD BUSINESS:

- 7.1 Consideration of FY21 School Budget – This item was taken out of order. The proposed FY21 budget was reviewed and approved by the School Committee at their June 4, 2020 meeting. Ann Mahan, Interim Business Manager, presented the budget to the Selectmen. She informed the Board that this budget was prepared based on the FY'21 salary and the current expectation of July, August and September expenses. In July, central office administration continues to work. Mahan analyzed those salaries and prorated them through July; she also looked at the extended cherry sheets which depicted August through September increases. August saw increased expenses for education staff to begin to return to work. In September, they return to work full time which mandates a big increase. Other expenses, such as supplies, were included. She indicated that there was no funding for athletic lines such as coaches and officiants due to sports not returning until the fall. There will be savings in some areas such as utilities and transportation due to new, less expensive contracts. LaBrie asked if there were any personnel contractual wage increases included. Mahan answered that there is a 3% increase included as the collective bargaining agreements were already in place; in addition to the wage increases for the administrators. Barbaro asked if the Commissioner of Education had sent a memorandum

mandating that only ten students will be allowed per classroom and that PPE (such as face shields) will be required. How will the school handle this, especially with growing class sizes? Mahan said that there have been grant funds allocated in response to COVID-19, which will help the schools to configure the classrooms for the new times of change. The items needed have been outlined and highlighted in guidance from the state along with more technology, if needed. Landers said that the initial guidance came from the Commissioner on Friday. She is currently assembling a reopening advisory committee, on which 25 volunteers have already signed up. She is soliciting parents, staff, even the high school students. The Commissioner will be holding another meeting on Friday, June 12th. Landers is hopeful the Commissioner will provide guidance in establishing a remote plan and a hybrid plan. There is currently \$292,000 in COVID-19 specific funds available to the schools. There are other grants available to be applied for that were recently released; Landers and her staff are currently compiling information needed to apply. She noted that there are supplies that are essential to the schools opening that are high in demand, and as such, currently backordered. Landers said current guidance from the Commissioner indicates that students are to be assigned one stationary classroom, and that teachers will travel from room to room to teach their subjects. Salter asked if Landers is currently aware the number of students Winchendon will be sending to Monty Tech, and if so, the cost associated with that. Landers and Hickey were unaware, but noted that they had received Monty Tech's initial budget in February. The assumption is that their budget is subject to change, just like everyone else's.

Landers wished to thank the community for showing support at the Class of 2020 graduation parade. It was endless with support from alumni, parents and family. She thanked Tom Kane for his help before experiencing technical difficulties.

LaBrie clarified to the Board that they would need to make a motion to accept this budget so it could be forwarded to the Department of Revenue.

Barbaro moved to approve the 1/12 budget presented by the School Department for July, August and September as presented this evening, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye, the motion carried unanimously.

8. NEW BUSINESS:

8.1. FY20 End of Year Budget Transfers – The Board reviewed a list of miscellaneous end-of-year budget transfers. Hickey noted that the biggest surprise was eight unanticipated new health insurance subscribers. Barbaro read aloud the list of transfers, their amount and the account to which the amounts will be debited and credited, a list of which is pasted below.

	Dept. Requesting	Account to be Transferred from	Account to be Transferred to	Amou	Reason
1	Planning & Development	011711-511010 - Conservation Dept. Head	011821-511020 Community Dev. Principal Planner	\$ 6,175.20	Budget deficit due to reconfiguration of Dept.
2	Department of Public Works	014211-511010 - Highway Foreman	014911-513000 Cemetery Overtime	\$ 1,000.00	Cemetery overtime shortage
3	Planning & Development	010033-533001 In Town Transportation	011821-511020 Community Dev. Principal Planner	\$ 3,600.00	Budget deficit due to reconfiguration of Dept.
4	Town Manager	010033-533001 In Town Transportation	019141-517110 Health Insurance	\$ 113,000.00	Budget deficit due to more enrollees
5	Town Manager	010033-533001 In Town Transportation	011231-511010 Town Manager Dept. Head	\$ 9,400.00	Budget deficit due to salary increase and vacation buy back
6	Town Manager	010033-533001 In Town Transportation	011592-534070 CC Cable Studio	\$ 3,000.00	Budget deficit due to salary difference between Town Manager new secretary and prior secretary (salary split)
7	Town Manager	010033-533001 In Town Transportation	011611-511010 Town Clerk Dept. Head	\$ 11,300.00	Budget deficit due to sick leave buy back from prior Town Clerk
8	Town Manager	010033-533001 In Town Transportation	014231-513000 Snow & Ice OT	\$ 3,507.75	Budget deficit due to harsh winter
9	Town Manager	010033-533001 In Town Transportation	014232-553000 Snow & Ice Materials	\$ 6,110.81	Budget deficit due to harsh winter
10	Department of Public Works	654402-578500 Sewer Contingency	654401-511020 Sewer Clerk	\$ 475.00	Salary change per contract
11	Department of Public Works	604501-519010 Water Certification and Training	604502-553000 Water Systems Maintenance	\$ 1,931.01	Unexpected computer upgrade
12	Department of Public Works	604902-597532 Water Tank Removal	604502-553000 Water Systems Maintenance	\$ 51,750.00	Unexpected computer upgrade

Barbaro motioned to allow these transfers that have been presented this evening to go through as presented, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro,

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aye and LaBrie, aye, the motion carried unanimously. Daigle asked the Board to amend their motion to include authorizing the Town Manager to sign these transfers on their behalf. **Barbaro amended his motion, seconded by Ward. With a roll call vote of all aye, the motion carried unanimously.**

- 8.2. Return of Riverside Cemetery Lot No. 985 – Ms. Eleanor Florio owns six unused burial lots at the Riverside Cemetery. She wishes to donate these lots back to the Town.

Barbaro moved the Board of Selectmen, acting as the Cemetery Commissioners, accept the return of the remaining burial lots located at Riverside Cemetery, Ash Avenue, Lot No. 985 deeded to Elizabeth Bordwin purchased in 1930 for the purpose of re-selling, seconded by Anderson. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye, the motion carried unanimously.

LaBrie thanked the family for their donation.

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

1. Financial Updates-

- a. There are no financial updates this week.

2. Personnel Updates-

- a. There are no personnel updates this week.

3. Project Updates-

- a. MassDOT is currently upgrading the sidewalks on Maple Street to ADA compliant.

4. Miscellaneous Updates –

- a. The Town Offices are ready to be reopened. However, due to restrictions implemented by the Governor, the maximum number of employees allowed to work on the first and fourth floors of the Town Offices is 8 and 7 respectively. There are 12 employees on the first floor and 7 on the forth. Therefore, opening the Town Offices would require having four employees work remotely rather than at the Town Offices. Keeping the Town Offices closed allows all of the employees to remain working at the Town Offices. Staff has met with customers outside or have made appointments for customers to come in the Town Offices when necessary. I have not heard any complaints that customers have not been able to complete their business at the Town Offices while we have been closed. Based on my comments above, I am leaning towards keeping the Town Offices closed until the COVID parameters for building occupancy is less restrictive or customers are not being adequately served.

Hickey wished to discuss the summer meeting schedule. He reminded the Board that in the summer, they usually meet every third week. The state budget may dictate that the Board needs to adjust their schedule. Barbaro indicated that he is okay with the three week schedule as there are no new numbers or information available anyway. He anticipates July to be slow and expressed that in the event that August accrues more business, the Board adjust their schedule as needed. Ward said he is okay with the three week schedule. Salter asked if the Board will continue with Zoom; Hickey said it is up to the Governor.

In regards to the Town Offices remaining closed, Ward has been closely following the Town Facebook page and has witnessed no complaints. If there are questions, the Town or other residents are able to provide timely answers. Barbaro is also okay with the Town Offices remaining closed and said that if they were to open currently, someone would have to stand by the entrances with a clicker to moderate capacity. Arrangements have been made to serve residents and conduct business remotely and it has been satisfactory thus far. He said that employees come first and

we are simply not ready for the next step. Anderson and LaBrie added that as long as business is conducted in a timely and satisfactory manner, there is no issue with the Town Offices remaining closed.

Hickey informed the Board that he is currently working with consultants to finalize the new water and sewer rates and that he will be emailing the Board in the coming week with an update. He plans to place this discussion on the June 22nd agenda for an initial overview by the president of Wright Pierce. This should give the Board sufficient time to digest the information presented and decide on a plan moving forward.

10. **MINUTES:**

10.1 Thursday, May 28, 2020, BOS/School Com./Finance Committee Tri-Board Meeting – Ward moved to approve the minutes as presented this evening, seconded by Barbaro. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye, the motion carried unanimously.

10.2 Monday, June 1, 2020, Regular Meeting - Barbaro moved to approve the minutes as presented this evening, seconded by Anderson. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye, and LaBrie, aye, the motion carried unanimously.

10.2 Monday, June 1, 2020, Executive Session - Barbaro moved to approve and hold the minutes as presented this evening, seconded by Ward. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye, the motion carried unanimously.

11. **COMMUNICATIONS:** There were none heard.

12. **AGENDA ITEMS:** LaBrie asked Mr. Hickey to ensure that the reorganization of the Board be placed on the first agenda for July.

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

14. **ADJOURNMENT:** Barbaro moved to adjourn, seconded by Anderson. With a roll call vote of Anderson, aye, Salter, aye, Ward, aye, Barbaro, aye and LaBrie, aye the motion passed unanimously. The meeting was adjourned at 7:30 p.m.

Respectfully,



Taylor Tower
Administrative Assistant