

TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, OCTOBER 26, 2020 6:30 P.M.

Conducted by Remote Zoom Meeting

Present:

Michael Barbaro, Chairman
 Rick Ward, Vice-Chairman
 Barbara Anderson
 Audrey LaBrie (arrived at 7:25 p.m.)
 Amy Salter

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

List of Documents Presented at Meeting:

- Introduction to Remote Meeting (filed)
- Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20 (filed)
- Fiscal Year 2021 Tax Classification Public Hearing Notice (attached)
 - Assessor's FY21 Tax Classification Hearing Report dated Oct. 26, 2020 (attached)
- National Grid's Elmwood Road Pole Petition No. 29831965 (filed)
 - October 1, 2020 Memo from DPW Director to BOS Regarding Pole Petition (filed)
 - October 8, 2020, Abutter's Notice
- National Grid's Front St. Pole Petition No. 29831916 (filed)
 - October 1, 2020 Memo from DPW Director to BOS Regarding Pole Petition
 - October 8, 2020, Abutter's Notice
- October 7, 2020 Email from Becky Hildreth re: Resignation from Recreation Commission (filed)
- Building Inspector's Annual Update - Comparison of Permit Activity from FY'19 vs FY'20 (attached)
- 24 Mechanic Street – Water & Sewer Abatement Application (filed)
- Central Street Reconstruction Project Property Owner Mailing (attached)
 - Undated Memo from DPW Director Albert Gallant
 - Maps of Central Street and Proposed Work
 - Federal Aid Acquisition Guide for Property Owners
- Standard Operating Procedure – Sweeping Streets & Town-Owned Parking Lots Proposed Policy – 1st Reading (filed)

Standard Operating Procedure – Catch Basin Cleaning & Inspection Proposed Policy – 1st Reading (filed)
- October 19, 2020 Letter from The Mill Farm Initiative, Inc./Brandywine Farms re: Intent to Apply for Mass. Economic Development Program (attached)
 - Former Tax Increment Financing Agreement between Town and Brandywine Farms, Inc.
 - September 10, 2020 Historical Commission Letter of Support for Mill Farm Initiative
 - September 15, 2020 Town Manager Letter of Support for Mill Farm Initiative Grocery Store
 - Brandywine's White's Mill Pond, 155 Mill Circle PowerPoint Presentation to Board of Selectmen
- October 26, 2020 Board of Selectmen Letter of Support to DHCD for MVOC Proposal
- October 1 and 2, 2020 Public Comment on MVOC Proposal
- September 30 2020 Letter of Notification from Dep. of Housing and Community Development regarding MVOC's application under Chapter 40B Comprehensive Permit for Poland and Streeter Schools Redevelopment.(filed)
 - MVOC 40B Application for Poland & Streeter Schools Development
 - Town's Public Notification of MVOC's 40B Comprehensive Permit Project Eligibility
 - Public Comments Received from Jill Sackett and Matthew Gwinn
 - Draft Letter of Board of Selectmen Support of MVOC's application
- October 26, 2020 Town Manager's Report (attached)
- Minutes to be Approved:
 - October 5, 2020 REGULAR MEETING

Due to Governor Bakers 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.

Chairman Michael Barbaro called the meeting to order at 6:30 p.m.

Barbaro confirmed members present and persons anticipating to speak by calling their name and asking for a response in the affirmative: Ward, yes, Salter, yes, Anderson, yes and Barbaro, yes. Staff members present and responding in the affirmative were Keith Hickey, Town Manager, Linda Daigle, Executive Assistant, Taylor Tower, Administrative Assistant, Al Gallant, Director of Public Works, and Tracy Murphy, Director of Planning & Community Development.

Barbaro read the “Introduction for Remotely Conducted Open Meetings” which noted Governor Baker’s Executive order of March 12, 2020 and outlined the guidelines and ground rules for the meeting this evening.

All rose for the Pledge of Allegiance.

Barbaro 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:

- 1.1. Early Voting through Thursday, October 29th for the November 3rd Presidential Election – Ward said that in-person early voting for the November 3rd Presidential Election is continuing this week through Thursday, October 29th at Town Hall, 2nd Floor Auditorium (Pleasant Street entrance) from 8:00am to 5:00pm. He also noted the Presidential Election is Tuesday, November 3rd from 7:00 a.m. to 8:00 p.m. at the Senior Center, 52 Murdock Avenue.
- 1.2. Halloween Trick or Treat – Barbaro reminded folks that Trick or Treat will be held on Halloween, October 31st from 5:00 p.m. to 7:00 p.m. and asked those participating to adhere to the following guidelines:
 - Minimize narrow areas where kids must pass each other—i.e. stairways. Set up one-ways
 - Set up manned candy stations at the end of your yard / driveway
 - Have candy in safely prepared to-go goodie bags so the kids don’t all have to reach into the same bowl
 - Adults wear gloves & use sanitizer often when dispensing candy
 - Wear a mask / face covering
 - Wearing a costume mask on top of a face covering may make breathing difficult for the kids—consider a costume that does not require a costume mask in addition to the facemask / covering. Consider incorporating a Halloween-themed cloth mask instead!
- 1.3. Anderson asked if there were volunteers available to drive voters to the polls on Election Day, to which Ward answered he did not know and to reach out to the Town Clerk. Anderson also expressed concern regarding the Board hosting in-person meetings, saying that COVID-19 cases are on the rise and she would like to see the Board consider holding meetings via Zoom moving forward.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS:

Marc Dorwart of 245 Mellen Road expressed appreciation for the new pavement on Mellen Road. He continued to remind the Board that the draft Master Plan recently presented highlights the importance of utilizing Zoom meetings. He informed the Board that he thinks it is absurd not to reconsider the current plan of hosting meetings in-person. He also wished to suggest that the Town hire a qualified Tree Warden, instead of simply designating the DPW Director to be the Tree Warden. He said recent national news have showcased the effect of climate change on trees; and said that having a Tree Warden staffed by the Town allows the DPW to apply for many grants. Dorwart said that he would be happy to do research and forward information to the Board. Barbaro asked Dorwart to forward his information and suggestions to Mr. Hickey for when he begins to develop the FY’22 budget. Barbaro informed Dorwart that the contract for the metes and bounds on Mellen Road has been sent out to

the contractor for their signature, and that the road will be brought forth to spring 2021 Town Meeting to be formally accepted.

David Watkins of 235 Mellen Road commented that Zoom meetings during these COVID-19 times are very important to allow all citizens to have safe access.

3. PUBLIC HEARINGS:

3.1. Fiscal Year 2021 TAX CLASSIFICATION HEARING – Fiscal Year 2021 – Barbaro read the Public Hearing notice that was advertised in the local paper. George Borgault of the Assessing Department briefed the Board on the topic; elaborating that this is the time of year that the assessor's present their proposed tax rate to the state, and as is customary in Winchendon's past history, they are presenting the recommendation of one single tax rate.

Barbaro asked for a motion to open the public hearing.

Ward moved to open the meeting, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the public hearing was opened.

Borgault continued to explain that the Town offers one single tax rate, meaning that residential, commercial and industrial zones all pay the same tax rate. Winchendon has so little commercial and industrial zones that dual tax rates have not been recommended in the past. He said that the estimated rate is \$15.72 per thousand, which is subject to change, pending Department of Revenue approval, which should be pending in the coming days. Ward pointed out that this tax rate is a drop from fiscal 2020, which was \$16.28 per thousand, but tax bills may be similar due to home evaluations increasing in dollar amount.

Ward moved to close the public hearing, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the public hearing was closed.

Ward moved the Board of Selectmen vote in accordance with M.G.L., Chapter 40, Section 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2021 tax rate and set the Residential Factor at 1.0 with a corresponding CIP shift of 1.0, pending approval of the Town's annual tax recap by the Massachusetts Department of Revenue, seconded by Anderson for discussion.

Anderson asked the Board to open this topic up for public input; Barbaro asked if anybody listening had any input. None was heard.

With a roll call vote of Ward, aye, Anderson, aye, Salter, aye and Barbaro, aye, the motion carried unanimously.

3.2. POLE PETITIONS:

3.2.1. Elmwood Road – Install 1 Single Owned Pole - Ward read the public hearing pole petition into the record. Ms. Laura Napolitano was present to represent the pole petition. National Grid is looking to install one Single Owned (SO) pole on Elmwood Road. DPW Director, Al Gallant, has no reservation with them installing a new pole and has included a memo for the Board. Abutters were notified and no opposition was heard.

Ward moved to open the Pole Petition Public Hearing for Elmwood Road, seconded by Salter.

Napolitano informed the Board that, in layman's terms, National Grid wishes to remove the tree guys. Tree guys are installed to support the weight of the wires. These need to be removed and a sub-pole will be installed to support the weight the wires and extend pole-to-pole guides.

Ward moved to close the Pole Petition Public Hearing for Elmwood Road, seconded by Salter.

With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

Ward moved to approve the Pole Petition to install one (1) Single Owned pole on Elmwood Road as presented this evening and authorize the Town Manager to execute the Order on behalf of the Selectboard, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

3.2.2. Front Street – Install 1 Single Owned Pole - Barbaro read the public hearing pole petition into the record. Napolitano was present to represent this pole petition, as well. National Grid is looking to install one Single Owned (SO) pole on Front Street. DPW Director, Al Gallant, has no reservation with them installing a new pole and has included a memo for the Board. Abutters were notified and no opposition was heard.

Ward moved to open the Pole Petition Public Hearing for Front Street, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward aye and Barbaro, aye, the motion public hearing was opened.

Napolitano confirmed that this pole petition is very similar to the preceding, and the information presented is applicable here as well.

With no questions from the Board or abutters, Ward moved to close the Pole Petition Public Hearing for Front Street, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the public hearing was closed.

Ward moved to approve the Pole Petition to install one (1) Single Owned pole on Front Street as presented this evening and authorize the Town Manager to execute the Order on behalf of the Selectboard, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

4. APPOINTMENTS/RESIGNATIONS:

4.1. Recreation Commission Resignation – Becky Hildreth – Ward moved the Board of Selectmen regretfully accept the resignation of Becky Hildreth from the Recreation Commission and to thank her for her service, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

Ward noted that this leaves the Recreation Commission down to two members, making them a not viable committee. He noted that a flyer seeking volunteers had been posted on Facebook and asked anyone interested to contact the Town Manager's Office.

5. PERMIT/LICENSE APPLICATIONS: There are no permits/licenses before the Board this evening.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENT:

6.1. Update from Building Commissioner, Geoff Newton – Building Commissioner, Geoff Newton was before the Board to update them on the Building Department's activities over the past year. He presented a summary of permit activity for the past twelve months. He noted that while the current activity level of permits for fiscal 2021 was low, he anticipates the activity to ramp up. He thinks houses are selling fast and businesses are starting to be attracted, and that levels might look low due to COVID-19. He detailed safety precautions being taken in conducting inspections during these pandemic times. Early on in the pandemic, the Commonwealth had originally instructed municipalities not to conduct annual inspections, but those restrictions have now been lifted, and annual inspections have commenced. Newton noted that the inspections for Common Victualler / alcohol licenses are conducted in conjunction with the Fire Department and they will begin in the first couple weeks of November. Another accommodation made due to the pandemic was the extension of licenses by the Building Board of Regulations and Standards, which will now

expire on November 30th. Newton thanked Mr. Hickey and Mr. Gallant for their assistance in removing the building at 275 Lincoln Avenue Extension; and said that he hopes the Town can find a potential buyer for the property. Newton concluded his presentation and opened up the floor to the Board for any questions. Barbaro asked how multi-family inspections are going; Newton answered that inspections will begin in April. He has been in contact with those property owners involved, and had told them all their permit timeline and repairs needed to bring their buildings up to standard. In the past, the option of raising the fee for solar arrays had been discussed, due to the high level of inspections and property visits required. Barbaro asked Newton if that process had yet been investigated. Newton replied “yes and no”, elaborating that the Town Manager and the Land Use Coordinator had briefly discussed the idea, but they are still in the process of looking at neighboring town’s prices and deciding on proposed new fees. Newton is hesitant to hike up prices, as he does not want to deter any potential solar arrays from being interested in establishing their business in Winchendon. Barbaro thanked Newton for his update and acknowledged the busy year that the Building Department has had. He looks forward to seeing the year-end result and wished Newton safety and good health.

7. NEW BUSINESS:

- 7.1. Water and/or Sewer Abatement Application – 24 Mechanic St. - The owner of property located at 24 Mechanic Street is seeking an abatement for a water leak. Water was leaking in a crawl space causing the high bill, and the Public Works Director is recommending an abatement for the sewer portion of the bill in the amount of \$346.49. Gallant noted that the property was vacant at the time, and he believes the homeowner is being honest in her application. She followed the process and had a plumber certify the leak and the repairs conducted. Ward said that he read all the documents involved in the application and was happy to see that the homeowner followed the procedure as required, she had a licensed plumber certify the work and he would like to see the abatement granted. Barbaro also was happy to see the homeowner take the necessary steps to request this abatement.

Ward moved the Board of Selectmen approve the sewer abatement in the amount of \$346.49 as presented this evening, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye, and Barbaro, aye, the motion passed unanimously.

- 7.2. Consideration of Granting Temporary Construction Easements on Town Property Located on Central Street Barbaro noted that as part of the Central Street Reconstruction Project, there are four Town owned Central Street properties that temporary easements are needed from as part of the Central Street Reconstruction Project. These temporary easements range from 45 to 722 square feet in size. Once construction is complete, the easement areas will be restored to their previous conditions. Ward asked for clarification on the process, the appraisals and their associated costs. Tracy Murphy, Director of Planning and Development, explained that the Town needs to obtain easements from all the abutting property owners. The Town is asking for the easements to be “donations”, in that the property owner will allow the Town to use the property for the duration of the construction. If property owners decline to donate the land, appraised values need to be obtained. Al Gallant, Director of Public Works, continued to elaborate, explaining that these easements are all temporary, and are very minimal in its invasiveness. For example, the “use of property” is typically as minor as the contractor being allowed to put a board or a stand on the private property. In the case of property owners declining to donate the easement, an appraisal must be conducted to establish the value of the land and a fair price to pay for the “lease” of the land. These appraisals cost approximately \$2,500 to establish that the property owner will be paid an average of \$50-\$100. Gallant explained that this has been done in the past when constructing bridges, and thankfully, the property owners at the time were reasonable and understood that it was in the best interest of the Town and the community to donate the easement. Hickey clarified, in case it was unclear, that this agenda item is strictly for easements on four pieces of Town property, and that staff is just seeking Board permission to grant temporary easements on four Town-owned properties. At the conclusion of construction, these properties will be restored to at least their current condition. Barbaro clarified the location and wished to confirm that the construction will include placing planks so that businesses can be accessed. Hickey answered that there should be no significant impact on properties on Central Street. Contractors will make whatever temporary improvements needed to be done so that businesses can continue to operate as they do now.

Ward moved the Board of Selectmen approve four temporary easements identified as TE-7, TE-8, TE-9, and TE-12 on the Central Street Improvement construction maps shown this evening, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro aye, the motion passed unanimously. Chairman Barbaro asked that the minutes reflect Selectwoman Anderson gestured “aye”, due to her having technical difficulties.

7.3. Sweeping Streets and Town-Owned Parking Lots Policy – 1st Reading - DPW Director Albert Gallant has requested this policy to come before the Board for consideration of adoption as part of new EPA mandates. This policy requires the Department of Public Works sweep the streets in the urban areas of Town twice during the summertime instead of once. Gallant explained to the Board that both of the policies for consideration tonight are related to stormwater MS4 rules established by the EPA. These policies have been drafted with the assistance of Tighe and Bond, and are as simple as increasing the amount of sweeping in urban areas of Town and near Miller’s River. The initiative is to keep storm drains cleaner by sweeping twice a year and cleaning drains once a year. The rest of the Town can be done once a year, as is the policy now. The material pulled from the drains and accumulated from sweeping the streets is classified as a type of hazardous waste, and must be carefully cataloged as to the amount hauled and must be disposed of at an EPA approved facility. Thankfully, Gallant said, Templeton has a facility that can safely take the material free of charge, which is a huge cost-saver. Ward asked if the MS4 cleaning of streets would take place in the spring and the fall, to which Gallant answered “yes”. Hickey wished the Board to be aware that the approval of these proposed new policies would double the amount of work for Public Works in street sweeping and work required to meet MS4 and stormwater requirements.

Ward moved the Board of Selectmen approve the 1st Reading of the Sweeping Streets and Town Owned Parking Lots policy and request the Town Manager include this item on the November 9th Board agenda for possible adoption, seconded by Salter. With a roll call vote of Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

7.4. Catch Basin Cleaning and Inspection Policy – 1st Reading - DPW Director Albert Gallant has requested this policy to come before the Board for consideration. This policy addresses another EPA mandate that needs to be in place. The Department of Public Works will be mandated to clean catch basins more often. This initiative was discussed at length in agenda item 7.3.

Ward moved the Board of Selectmen approve the 1st Reading of the Catch Basin Cleaning and Inspection Policy and request the Town Manager include this item on the November 9th Board agenda for possible adoption, seconded by Salter. With a roll call vote of Salter, aye, Anderson aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

7.5. Presentation by Brandywine on Redevelopment of the Former White’s Mill – Mr. Brian Falk, attorney for Mill Farms Initiative, introduced the subject and the anticipated speakers. He noted that Amelia Giovanni was available by phone, and that attorney Patricia Davidson was also before the Board to make a presentation on their future redevelopment plans. As part of Brandywine’s redevelopment of the White’s Mill property, they are seeking support from the Economic Development Incentive Program. Brandywine is requesting the Selectmen authorize the Town Manager to enter into negotiations with Brandywine for a fifteen-year Tax Increment Financing Agreement (TIF). Falk explained that a project of this scope has many moving pieces, and that the initiative before the Board tonight helps to address just one of those pieces. He said that a significant break is sought on taxes, describing it as a self-encouraged economic development to help support the investment in the site. Brandywine is just seeking authorization of the Town Manager to negotiate a new TIF, and in the future, to continue to work with Town staff and legal counsel.

LaBrie joined the meeting at 7:25 p.m.

Giovanni continued the presentation, stating that she hopes everyone is familiar with this project. She said that the only difference between this presentation and the one provided in 2015 is that in 2015, Brandywine

was attempting to keep White's Mill Pond. Now, they have been permitted to have the dam breached. The second difference is the release of Brownsfield, which Giovanni stated happened in July of 2014 before Brandywine owned the property. She said that they now qualify for some assistance as a non-profit to finish the cleanup. She said that there has been no sighting of oil in test wells in four years, and that the only problem now is the historic water wheel that she said is corroded. She said they have applied for funding from EAP to finish that and tier two is the release from DEP. She said that 15,000 tons of contaminated soil had been removed, which had been hidden under a snowbank when Brandywine took possession of the property in April 2015. She explained that they are now working with a state agency to establish food insecurity programs for those that are underserved and disabled. Citing that most of her time is spent in a wheelchair and she had struggled herself with going to the food bank, Giovanni stated that she wishes to put a store in the barn that connects to a 50,000 square foot greenhouse. They would like to employ those people. She plans to have a program for 1,000 people a week for groceries and that the grocery store will coincide with the first and second phases of the plan because that is where significant funding will source from. Giovanni said that their plan will give the Town a respite from the current issue of it being a "food desert" – although it is being designed for 4,000 people so it won't solve the problem, but it will help. She detailed their plan to lease to two vendors from the New England Produce Terminal in Chelsea so that they can start to venture west and serve Vermont and New Hampshire, bringing income to the nonprofit in lease fees. They have begun to venture with larger partners to train those with disabilities who will be employed by the initiative. The greenhouse has already been designed by Rimol, and while it won't happen by January like planned, Giovanni is optimistic that they can begin to move earth soon. A conceptual plan was shown, and Giovanni drew attention to the number of parking spaces, which she said is accurate to the number of housing units. The difference in this plan and the original is that they are adding sixty units. The USDA balked at the originally proposed mixed use for the building, due to the humidity and mold that would be a problem for the people living in the units. The proposed greenhouse can grow food year round, and while it will be expensive, the nonprofit can absorb some of the cost and still deliver a value to the citizens of Winchendon. Although the buildings are connected, they are considered two separate buildings. She said that the spaces that cannot be used as apartments will be used as a community space so that state agencies can provide services to Winchendon and surrounding public areas. They are also proposing going mobile and provide food delivery services. The presentation also explained that the spaces in the building can be used as apartments and offices, with an importance placed on handicap accessibility since about 50% of the workforce will be disabled. Phase V detailed wetlands conservation and presentation, with Giovanni noting that they are applying for a wetlands preservation grant so that they can perform maintenance on the 30 acres of wetlands that will be created by breaching the dam for a fifteen-year period. The grant will also allow funding to eliminate invasive plants and reseed. Giovanni also noted that the 2015 presentation offered the Town a water source. She referred to a report from Tighe and Bond and drill tests conducted in the 1990's that she believes proves the water source a valuable offer. She said that Brandywine had conducted a water test, and that the results proved only high in iron, and that nearby residents still drink the water there. Giovanni would still like to do that under community facilities. Her presentation offered emergency water supply. The presentation claimed that they could provide lower bills to residents. She said that Brandywine wishes to be a service to the community, and water to the community in drought conditions would be a service and that there is state funding to have that done.

They had also proposed tiny houses for camping on the property, but COVID-19 has affected that planning due to community showers, etc. These will be phased out. Depending on the final design and the buildings that are put in service and taxed, the Town could generate an excess of \$7 million in a ten-year period of taxes generated by the project.

Ward noted that there is currently a TIF in place, from 2015 until 2023. He understands the difference between the first TIF and the current proposal is the addition of a grocery store, greenhouses and the addition of housing. If there is currently a TIF, and a new one is approved, what happens to the one established in 2015 – is it null and void upon the approval of a new TIF? He referred to an email he had received earlier in the day from one of the state agents working with Brandywine, reminding them that there must be some kind of termination of the current TIF prior to beginning negotiations. Hickey stated a couple years ago, Brandywine notified us they no longer wanted to participate in the TIF agreement back in 2015. He said he

received an email today from one of the state agencies that Brandywine is working with reminding them there needs to be a termination of the prior TIF. The establishment of a new TIF will terminate the existing one. Ward said that at their May 4th meeting with Brandywine, the issue of past due taxes had been discussed. He asked if these past due taxes are up to date. Hickey answered no, the taxes based on the payment agreement that Brandywine had agreed to was about \$64,000 total. Property taxes are at about \$80,000 due at the moment. Giovanni said that at the meeting Ward had attended, it was agreed that the Town counsel and Brandywine's attorneys were working on a new agreement. Town counsel had sent to Brandywine a new agreement in September, which was then edited by Mr. Falk and returned to the Town for counsel review and send back to them. The agreement was that when the dam is breached, the property will become mortgageable and the remainder of the taxes will be paid.

Giovanni said that Brandywine had taken an eight-year TIF because they were only going to commit to \$6.5 million, and that they are now going to commit to twice that amount. They are working toward a resolution regarding the taxes and the property cannot currently obtain a mortgage due to the water hazard because of amount of water it holds back. She said it is likely to cause loss of life and property, and as such, is not eligible for funding until this is resolved. She said that they had reapplied for the same funding, that had been transferred to a different agency due to COVID-19, and as such, has been delayed. She said that they are not trying to avoid paying taxes and that Brandywine Farms was never activated, but existed solely for tax purposes.

Falk agreed with Hickey and said that the 2015 TIF will no longer be in effect. One of the driving forces in establishing a new TIF is that terms have changed and the project is different now. An agreement is in place to address past due taxes. LaBrie asked if there is any sense of time as to when breaching the dam may occur. Giovanni said she is working through Senator Gobi and Representative Zlotnik's offices and that the email they had received last week from Bill was that in a couple weeks they are trying to align the forms with Mass Water Trust stating that they were a priority.

LaBrie asked with the new plans with an increase in housing units were they going to be low income. Giovanni answered "yes, it is work housing, not just for the workers, but for work force meaning you have to have income". She said that they do not exclude and their preferences are for disabled, veterans, elderly and women in that order. Their reason for placing a preference on the elderly is because farmers do not make a lot of money, and when they retire, they can live in this housing. Barbaro remembers this project when it was initially proposed in 2015, and he is hoping that if the project moves forward, these plans can be presented to the Planning Board and the Conservation Commission. Giovanni said she would love nothing more than to be able to present these plans to the Conservation Commission and the Planning Board. Barbaro stated that his concern has always been the deterioration of this property, saying that it has caused folks in the Town a lot of angst. Giovanni said that her career has been in historic preservation and acquisition, so she is understanding of Barbaro's point. She wanted the Board to understand that there is also a bottom line, and that there is no return on anything done on that property until there is allocation of the tax credit. She said that they had just received a letter of support from the Historic Commission that will allow them to receive a \$1 million tax credit. Barbaro asked if the Town was to vote to do another agreement with Brandywine, what the anticipated timelines to get the project up and running and to start the phases would be. He asked for a very realistic timeline. Giovanni answered that there is a mandatory timeline for the Historic Commission tax credit, and that they had applied for a five-year phase in credit; and apartments must be done in five years. She said that every bit of grant funding comes with a timeline. Barbaro asked if the Town decides to go forward and present this to the community, how many construction jobs does Brandywine anticipate being brought onsite. Giovanni said Brandywine has a construction estimator. The wetlands project would return 75 cents on every dollar submitted. She said that Brandywine has not been delayed by their own fault, they have been diligent, they have been delayed due to misunderstanding. Ward said that as part of the 2015 TIF, Brandywine had said they would create 100 permanent full-time jobs. He asked if that number will remain the same headed into a new TIF. Giovanni said that is the minimum number needed for the greenhouse alone, and the number will increase, as she will need packers and drivers. Ward said that he likes the presentation, and he can see the possibility for the Town. If it can come to fruition, that would be great. He would like to see the taxes resolved before this matter is voted on in January. Giovanni said she had

instructed the attorneys to have the tax agreement resolved before tonight's meeting and that she would speak with them. LaBrie said that the proposed job creation sounds great in theory, and it would be wonderful to see the property developed as proposed. Patricia Davidson, attorney for Brandywine, assured the Board that presumably and optimistically, if the Board permits the Town Manager to negotiate a new TIF, part of the finalization will be finalization of the Brownsfield Agreement and to resolve the taxes. Barbaro said he would like to see this property come to fruition. It has been a very long process but could be a great asset. He asserted that stricter timelines are necessary this time around, due to the history of the property and the development. The legal issues need to be resolved. LaBrie clarified that whatever the Board decides on a TIF, it does come to Town Meeting and it will be the voters that make the decision.

LaBrie moved the Board of Selectmen authorize the Town Manager to begin negotiations for the development of a Tax Increment Financing Agreement with the owners of the former White's Mill property. The proposed TIF shall be completed by January 5, 2021 for presentation to the Board of Selectmen at their January 11, 2021 meeting, seconded by Ward.

Dorwart asked to speak but was denied as public comment is not in session. After significant discussion, Dorwart was removed from the meeting.

With a roll call vote of LaBrie, aye, Salter, aye, Anderson, no, Ward, aye, and Barbaro, aye the motion carried

7.6. Review Public Comments Received on MVOC's Poland/Streeter 40B Comprehensive Permit Qualification – Hickey informed the Board that as part of MVOC's redevelopment of the Poland and Streeter schools, MVOC has applied to the Department of Housing and Community Development (DHCD) for the rental apartments to be designated low income, 40B apartments. As part of the process, the Town had to provide public notification of MVOC's 40B request and accept public comment. The Town received two comments that were presented to the Board. DHCD asks that the Town provide comments for the project in a letter that will be part of the application review. Charley Murphy of MVOC was present and stated that he has been working closely with Mr. Hickey and Tracy Murphy to identify the next steps. They are currently seeking funding with the Mass Historical Commission and now DHCD. Part of the application is to illustrate to the State that the Town is supportive of this project. LaBrie asked if once the project is designated 40B status, other low-income residents would be allowed to apply, rather than strictly veterans. Mr. Murphy answered that housing is strictly for applicants of veteran status that apply and qualify. Salter said that she walks up to the property often, quite a bit of work has been done already and she is very excited for this project. Mr. Murphy agreed that the property is looking great. They are all a good size, one bedroom and separate units.

Anderson left the meeting at 8:09 p.m. due to technical difficulty.

Barbaro is looking forward to this project, and having that piece of land developed will remove an eyesore while paying respect to veterans. He is very pleased to see this project moving forward.

Ward moved to approve MVOC's application to DHCD requesting the proposed apartments in the former Poland and Streeter schools be designated 40B eligible. Further, to authorize the Board Chair to sign the letter to DHCD provided in the Board packet materials (as amended). This motion was seconded by LaBrie. With a roll call vote of LaBrie, aye, Salter, aye, Anderson, aye, Ward, aye and Barbaro, aye, the motion passed unanimously.

8. OLD BUSINESS

9. TOWN MANAGER'S REPORT:

The Town Manager announced that 750 voters have come to Town Hall to do early voting as of Sunday, and it continues through Thursday this week.

1. 9.1. Financial Updates-

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- The School Department end of year report has been completed and submitted to DESE.
- The Tax Collector will be auctioning a tax titled property located at 21 Hale Street. The auction will be held on Friday, November 13th at 1:00 pm at the property. An open house will be held on Saturday, November 7th from 11:00 am to 1:00 pm to allow interested parties to view the property. A \$5,000 bank check payable to the Town of Winchendon is required to bid on the property. The remaining balance must be paid within 30 days. Information can be found on the website and our Facebook page. Those with any questions can reach out to Donna Spellman, Treasurer & Collector.

2. Personnel Updates-

- Jason O'Brien has been hired by Public Works as an Operator.

3. Project Updates-

- The Police Department furnace replacement project will begin during the week of October 25th.
- All of the roads approved to be repaved in 2020 have been completed. All road line striping has also been completed.
- Mellen Road has been paved using the funding approved at Town Meeting. Driveway aprons installed by Public Works.

4. Miscellaneous Updates –

- The Planning Board has been hearing a site plan for a nine MG array on Spring St. at the Winchendon/Ashburnham town line. The project is in the final stages of approval. It is expected that they will receive site plan approval mid-November barring anything unforeseen.
- The proposed marijuana cultivation operation at 2 Juniper received their Special Permit last week. They are in the process of designing a storm water management system before proceeding with their site plan approval.
- A minor site plan modification at the retail marijuana facility at 682 Spring (Little Anthony's) was also approved last week. They are continuing site work and construction.

10. MINUTES:

10.1 Monday, October 5, 2020, Regular Meeting – Ward moved to approve the Board of Selectmen Minutes of Monday, October 5th, 2020 as presented this evening, seconded by Salter. With a roll call vote of Salter, aye, LaBrie, abstain, Anderson, aye, Ward, aye and Barbaro, aye, the motion carried.

11. COMMUNICATIONS:

12. **AGENDA ITEMS:** Barbaro reminded the Board that upcoming November meetings will be held on November 9th and November 23rd at Town Hall. He said that there are currently four active COVID cases in the Town. Going forward, if we there is a need, the Board can resume meeting via Zoom.

13. **EXECUTIVE SESSION:** There was none scheduled tonight.

14. **ADJOURNMENT:** Ward moved to adjourn, seconded by Salter. With a roll call vote of Anderson, aye, LaBrie, aye, Salter, aye, Ward, aye and Barbaro aye, the meeting adjourned at 8:16 p.m.

Respectfully submitted,
 Taylor Tower *Taylor C. Tower*
 Administrative Assistant

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