

Approved: 11-28-2022

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, OCTOBER 3, 2022**

Town Hall, 2nd Floor Auditorium, 109 Front Street, Winchendon, Mass.

Present:

Audrey LaBrie, Chair (remotely)
Rick Ward, Vice-Chair
Barbara Anderson
Danielle LaPointe
Amy Salter (remotely)

Justin Sultzbach, Town Manager
Linda Daigle, Executive Assistant
Mary Calandrella, Executive Assistant

Documents presented at the meeting:

- Proclamation-Chief Walsh (filed)
- Kyle Bradley Resignation from Winchendon Master Plan Implementation Committee (filed)
- Kalon Farm, dba Bull Spit Brewery-Entertainment Permit & Special One Day Wine & Malt Liquor License Application (filed)
- Waiver of First Refusal Option-9 11 Town Farm Road (filed)
- Special Town Meeting Warrant-Monday, October 24, 2022 (attached)
 - Proposed Charter Changes Oct. 2022
 - Fire Station Floor Plans dated 2/25/2020
 - Fire Station – Email from Town Manager dated 9.20.22 regarding DLS Fire Station Design Debt Exclusion Figures
 - Fire Station Site Plan (Reduction) 11/23/2021
 - Schwartz Silver Architects Engineering and Architecture Proposal dated 9/16/22
 - Schwartz Silver Original Conceptual Floor Plans
 - Opinion of Probable Construction Cost Water Transmission Main Replacement Project dated August 2022
 - Sherbert Road Water Main Replacement Figure 4
 - Draft Schedule A Mass. Clean Water Trust Preliminary Structural Analysis dated 8.18.22
 - Anticipated Schedule for Winchendon SRF Project
 - Winchendon Water Main Blended Funding Examples Only
- Town Manager Memo dated Oct. 3, 2022 regarding School St./Front St. Intersection Designs (attached)
- FY22 and FY23 Board of Selectmen and Town Manager Goals and Objectives (attached)

Vice-Chair Ward called the meeting to order at 6:30 p.m. All rose for the Pledge of Allegiance.

Announce Remote Participation by Chair Audrey LaBrie – Ward noted Chair LaBrie and Selectwoman Salter would be participating remotely this evening and all votes will be by roll call.

Announce audio/video recording disclosure. No one disclosed they would be audio or video recording the meeting this evening.

1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:

- 1.1. Proclamation – Police Chief David Walsh –Vice Chair Ward thanked Police Chief David Walsh for all his years of service and commented he hates to see him go. He read the proclamation issued to the Chief.

Chief Walsh reflected on his last 33 years, he thanked the town and various Boards of Selectmen. He said he has met wonderful people. The Police Department is better than when he started. It feels like the right time

and he feels comfortable with Dan Wolski taking over and with Justin Sultzbach's leadership. He thanked the citizens in the community.

LaPointe congratulated Chief Walsh's wife Dianna, present this evening, for her sacrifices.

Ward introduced the new Executive Assistant in the Town Manager's office Mary Calandrella. She said she looks forward to joining Winchendon having seventeen years' experience and welcomes the challenges.

Ward announced the town wide clean up Saturday, October 15, 2022 from 9 am to 2 pm.

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

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

4. **APPOINTMENTS/RESIGNATIONS:**

4.1. Master Plan Implementation Committee Resignation – Kyle Bradley - Ward announced that Kyle Bradley has submitted an email with his resignation to this committee.

Anderson made a motion to accept the resignation of Kyle Bradley from the Master Plan Implementation Committee and thanked him for his service; LaPointe seconded. No discussion. Roll call vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye, and Ward aye.

5. **PERMIT/LICENSE APPLICATIONS:**

Entertainment Permit / Special One Day Beer and Wine Licenses November Extension – Elizabeth Boutwell, - Bull Spit Brewing Co., Pop Up Bull Yard, 4 Summer Drive - Ward noted Jim Hunt and Elizabeth Boutwell are present on their application to extend their Entertainment Permit and Special One Day Licenses to operate the Pop Up Bull Yard on Summer Drive. Responses received from Department Heads have no issues. Jim and Elizabeth came forward, looking to extend weather permitting, with positive feedback from the community.

Linda Daigle explained to LaBrie who asked about the number of allowances. Due to the license guidelines to be issued to a person and for a maximum of 30 days per calendar year, Elizabeth Boutwell is applying for the additional 12 days for the weekends in November.

Anderson moved to approve the extension of the Entertainment Permit and additional 12 Special One-Day Wine and Malt licenses for the dates listed in November to Elizabeth Boutwell for the "Pop Up Bull Yard" to be located at 4 Summer Drive as presented this evening; LaPointe seconded. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye, and Ward aye.

6. **BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS:** None this evening.

7. **NEW BUSINESS:**

7.1. First Right of Refusal – 9 Town Farm Road – Ward noted this property is being transferred within the family to the son; before it is transferred, the Board needs to exercise its First Right of Refusal. Sultzbach noted about chapter land, a reduced rate of tax for time period you own property. If you sell, you have to pay roll back taxes. The town gets a Right of First Refusal for tax land. This instance is not typical, one allowance is if selling the property and handing down to one family member to another. In order to do this, they need certified minutes that the board waived their first right of refusal. Anderson asked what the Town could do with it. Sultzbach said it's private property and LaPointe added the family is moving in.

Anderson moved the Board not exercise or assign its first refusal option to purchase 9.47 acres of land located at 9 11 Town Farm Rd. as presented this evening; LaPointe seconded. By roll call vote of all aye, the motion carried unanimously.

7.2. Special Town Meeting Warrant for October 24, 2022

7.2.1 Board of Selectmen Voted Recommendations on Warrant Articles –Ward said he will briefly describe the article and if there are any questions they can be answered.

Ward noted Tom Kane, the Finance Committee Chair, will probably have a report under Article 1.

LaPointe made a motion to recommend Article 1 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.

Ward said Article 2 is to see if the town will vote to transfer from Free Cash the sum of \$100,000 for the purchase of Supplemental Downtown Streetlight Improvements. **LaPointe made a motion to recommend Article 2 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward said Article 3 is to see if the Town will vote to transfer from free Cash the sum of \$145,000 for Phase 2 Library Repairs. **LaPointe made a motion to recommend Article 3 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward said Article 4 to see if the town will vote to transfer from Free Cash the sum of \$95,000 to supplement the FY23 Highway Materials line for the purposes of infrastructure improvements on Pleasant Street, Summer Street and Island Road. **LaPointe made a motion to recommend Article 3.** Anderson questioned whether using the money the town appropriated for the DPW is being done in the best way for our resources. Sultzbach said this article is exclusively for infrastructure for Summer Pleasant and Island. Sultzbach asked anything specific to address, he would be happy to address if brought forward. **Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward read Article 5 (Fire Station Design). Anderson said she wanted to be clear should this pass at town meeting it does not go to ballot to fund until May. Sultzbach explained we would have to have ballot in January since you have to have a special election within 90 days which would be January 24th at the latest. The additional cost for the special election is typically carried in the budget. He said if this is passed, there will be further discussion with the Board on when to call it.

Ward added this special ballot election in January would cost between eight to nine thousand dollars.

Sultzbach noted that Mike Barbaro, the Capital Planning Committee Chair, was present if they had any questions for him.

LaPointe made a motion to recommend Article 5 and LaBrie seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.

Ward read Article 6 (Clean Water and Drinking Water State Revolving Funds). Anderson asked where the money is coming from. Sultzbach reviewed an example of funding including the percentage from MA Clean Water Trust Forgiveness. Anderson said she felt uncomfortable with this since they didn't know where this money was coming from. Sultzbach reviewed three examples of funding noting they are hypotheticals. One was with "No Blended Funding", the second one "Some Blending Funding" with less carrying cost and the third one "More Blended Funding" with larger amounts of funding sources. These were illustrated different alternate funding sources not wanting for it to be all exclusively Winchendon residents or Winchendon ratepayers. He said he is comfortable with the middle ground, "Some Blending Funding" with the annual payment of \$240,000.

LaPointe made a motion to recommend Article 6 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.

Ward read Article 7 (Fund OPEB Trust account). **LaPointe made a motion to recommend Article 7 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward read Article 8 (Fund Contractual Separation Pay-outs). **LaPointe made a motion to recommend Article 8 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward read Article 9 (Fund Stabilization Account). **LaPointe made a motion to recommend Article 9 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward read Article 10 (Finance Committee Reserve for Energy Costs). Anderson asked why this is going into the Finance Committee Reserve Account and not a special reserve account. Sultzbach explained they are to go before the Finance Committee to request funds and get their approval. The Finance Committee are the stewards of the funds. The funds of \$50,000 will be used exclusively for energy cost. **LaPointe made a motion to recommend Article 10 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.**

Ward read Article 11. Ward explained Town Charter changes will go to ballot in May and then the state has to approve noting there are three levels to this. Anderson said the problem with this is the recall part isn't clear. Not comfortable with the number of 15% of total voters.

The Board reviewed when the Charter and Bylaws were to be reviewed. Sultzbach said it was reviewed in 2020, approved at Town Meeting in 2021 but failed to make it to the ballot. Anderson said she thinks 15% of registered voters is too large a number to obtain referencing the recall part. She thinks it should be doable.

LaBrie said to recall an elected official is a serious undertaking and would like to think a higher number of the population would be on board and not a small number. She feels needs to be accessible but not done lightly, a high enough threshold. Ward doesn't feel 15% is too high.

LaPointe made a motion to not recommend Article 11 and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie no and Ward no.

Ward thanked the Town Manager, the DPW Director, the Library Trustees, and the Fire Chief for attending the meetings.

7.2.1. Assignment of Motions – The Board reviewed and assigned who would be presenting each article on Town Meeting floor.

8. OLD BUSINESS:

8.1. Final Decision on School St./Front St. Intersection – Sultzbach noted his enclosure of the reports and maps from 2016. LaBrie noted the word was put out again still looking for public input. Sultzbach said he received a comment from Les Goodrich who is in support of full closure of Front Street or at least one way and would like more markings for folks seeking to take a right on River Street.

LaPointe said she reached out to Mr. and Mrs. Mackenzie after the last meeting and they were fine with whatever solution they just wanted barrels moved.

Ward asked about other emails, same closure of Front Street, more markings. Ward reviewed the recommendation.

Anderson commented the problem with blocking off Front Street is they would need a turnaround area if they mistakenly go down there. Sultzbach said it will be posted as a dead end. Anderson spoke about the

intersection and cutting off Front Street wouldn't solve the problem. We are trying to avoid those accidents and doesn't see this impacting the residents at all. She thinks more time is needed to study this.

Ward explained back in 2016 we had these recommendations back then and now current folks recommending to do the same thing. We can at least do this and see how it goes. He said he doesn't believe this will cause more accidents and might lessen them. We will have data in the spring to see if it makes a difference.

DPW Director Brian Croteau came forward and expressed his fear is if they cone it off and don't act on it, it will put a barrier in place to impede the vision. It's still October and they could get work done and then remove the barrels. Anderson said she doesn't see shutting this down is the best use of priorities or funds.

LaBrie said she feels that this should not be a Board of Selectmen decision but under the purview of the Town Manager. Ward agrees with LaBrie stepping into some micro-managing.

Tiffany Newton of 332 Front St. came forward. She said she drives it every day and agrees with Selectwoman Anderson on some points. She said she doesn't agree that closing the road is the solution. She said it was people on Route 12 coming down that caused the accidents. She believes narrowing to one lane would make a difference but doesn't think closing is the answer.

Ward made a motion to recommend to direct the Town Manager to authorize DPW to close down Front Street in both directions as well as provide designated turning lanes onto River Street from School Street as recommended by Mass DOT, Winchendon Police and Winchendon Fire. LaPointe amended the motion to add after offering a potential solution to the problem that will be expected traffic to School Square. Sultzbach said we could potentially paint out a grid or add a sign that says don't block the intersection. LaPointe seconded. Salter aye, Anderson no, LaPointe aye, Ward aye, and LaBrie aye.

- 8.2. FY23 Town Manager and Board of Selectmen Goals and Objectives – Ward asked the Board to review them and see how they align with the Town Manager's Goals.

Ward moved the issue to be tabled until the Chair receives input from the Board; LaPointe seconded. No discussion. Salter aye, Anderson aye, LaPointe aye, LaBrie aye and Ward aye.

9. **MINUTES:** There are no minutes this evening.

10. **COMMUNICATIONS:**

11. **AGENDA ITEMS:** Ward noted a half hour meeting of the Board is being scheduled by the Chair for Monday, Oct. 24, 2022 at **6:00PM** prior to Special Town Meeting. The office will see if there is a room at the School where the Board could conduct this meeting.

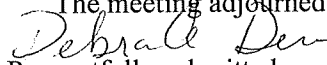
Ward noted he would not be in attendance for the regular meeting scheduled for November 14th.

12. **EXECUTIVE SESSION:**

Anderson moved to enter into Executive Session under Exemption No. 2 to conduct strategy session in preparation for negotiations with non-union employees and to reconvene into public session for the sole purpose of adjournment; subject being Police Chief Position; LaPointe seconded.
Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, LaBrie aye, and Ward aye.

13. **ADJOURNMENT:**

The meeting adjourned into Executive Session at 7:58P.M.


Respectfully submitted,
Debra Dennis, Administrative Assistant

