

Approved: January 9, 2023

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MEETING MINUTES
MONDAY, DECEMBER 19, 2022
Town Hall, 2nd Floor Auditorium, 109 Front Street, Winchendon, Mass.**

Present:

Rick Ward, Vice-Chair
Danielle LaPointe
Barbara Anderson
Amy Salter –arrived at 6:39PM

Justin Sultzbach, Town Manager
Mary Calandrella, Executive Assistant
Linda Daigle, Executive Assistant
Debra Dennis, Administrative Assistant

Absent: Audrey LaBrie

List of Documents Presented at Meeting:

- License Applications-Gourmet Donuts, Inc., American Legion Post 193, Riverwalk Café LLC and NPM Auto Sales Inc.
- Tax Classification Hearing – Fiscal Year 2023 submitted by Winchendon Board of Assessors
- Memo from Community Preservation Act Exploratory Committee-Community Preservation Act Exploratory Committee Recommendation dated December 19, 2022
- Memo from Town Manager-Special Municipal Employees update dated December 19, 2022
- Roselli, Clark & Associates letter of transmittal
- Town Manager's Report (attached)
- Minutes for Approval:
 - November 14, 2022 Regular Meeting
 - December 5, 2022 Special Meeting

6:30 P.M. Vice Chair Ward called the meeting to order at 6:30P.M. All rose for the Pledge of Allegiance. Ward asked if anyone would be audio or video recording this meeting tonight to which there was no response heard.

Ward stated that he has received word Sunday of the untimely passing of Dick Ladeau. Chelsea Bourne who has been working in the Assessor's office for two years has passed away. A moment of silence was taken.

1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:

- 1.1 LaPointe stated the Winter Parking Ban is now in effect from December 1st through April 15th. Section 7.18 of the Town's Bylaws prohibits parking on all public ways between the hours of 11:00pm and 6:00am. Sultzbach said that includes all town lots.

Town of Winchendon Bylaw 7.18 WINTER BAN

Parking is prohibited on all public ways between the hours of 11:00 p.m. and 6:00 a.m., annually from December 1st through April 15th. In addition, any vehicle, other than one acting in an emergency, parked, day or night, on any street in the Town, so as to interfere with the work of removing or plowing snow, removing ice, or sanding the street may be removed or towed away under the authority, discretion and direction of the Chief of Police or the Chief's designee. The registered owner of a motor vehicle which is removed pursuant to this bylaw shall be fully responsible for all charges and expenses incurred for the removal and storage of said motor vehicle. Thank you all for your cooperation.

- 1.2 Christmas/New Year's Holiday Hours – Anderson commented Town Hall will be closed Thursday, December 22nd at 12:30 P.M. for the Christmas Holiday, reopening on Tuesday, December 27th. The Transfer Station hours are as follows:

Thursday, Dec. 22nd^d normal operating hours 8:00AM to 4:00PM
Friday, Dec. 23rd normal operation hours 8:00AM to 4:00PM
Saturday, Dec 24th 8:00AM to 12 Noon
Christmas Day Closed

The New Year's Holiday schedule would follow the same as above.

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

3. PUBLIC HEARINGS: Ward read the following into the record.

**LEGAL NOTICE OF PUBLIC HEARING
TOWN OF WINCHENDON, MASS.
TAX CLASSIFICATION**

In accordance with G.L. c.40, §56, the Board of Selectmen will conduct a Public Hearing on the question of adoption of percentages of the total tax levy to be borne by each class of real property (residential, commercial, industrial, open space) and personal property for Fiscal Year 2023. The Hearing will be held in the Town Hall auditorium, 2nd Floor of Town Hall, 109 Front St., Winchendon, MA on Monday, December 19, 2022 at 6:30 P.M. All interested parties are invited to attend and be heard.

WINCHENDON BOARD OF ASSESSORS:
Harald Scheid, Regional Assessor
George Bourgault, Associate Regional Assessor
Robert Heckman Jr, Associate Regional Assessor

Anderson made a motion to open the public hearing for the tax classification and LaPointe seconded the motion. Roll Call Vote: Anderson aye, LaPointe aye, and Ward aye.

George Bourgault and Robert Heckman, Assessors came forward. Mr. Bourgault went over the Board of Assessors recommendation. There will be one tax rate for residential and commercial. He said the Board of Assessors recommends that the Winchendon Select Board adopt a single tax rate to be applied to all classes of property in Winchendon. Selectman Salter arrived at 6:39PM. Mr. Bourgault went over the calculation of the Winchendon levy limit for fiscal year 2023.

Public Comments: Jane LaPointe commented before a public hearing the information should be available for review.

Anderson made a motion to close the hearing and LaPointe seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, and Ward aye.

Anderson made a motion that the Winchendon Select Board votes in accordance with M.G.L. Ch. 40 Sec. 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 2023 tax rates and set the Residential Factor as 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 and LaPointe seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, and Ward aye.

4. APPOINTMENTS/RESIGNATIONS: There are no appointments or resignations this evening.

5. PERMIT/LICENSE APPLICATIONS:

- 5.1. Common Victualler License Update – Gourmet Donuts, Inc., 110 Spring St.- Ward said Gourmet Donuts business structure has changed from operating as Blueberry Donuts, Inc. d/b/a Gourmet Donuts to now a corporate structure under just Gourmet Donuts, Inc. with a new FID number. This process is a formality to update the license and issue it properly for 2023. **LaPointe made a motion the Board of Selectmen**

approve the amendments to the Common Victualler license located at 110 Spring St. with the corporate name change from Blueberry Donuts, Inc. to Gourmet Donuts, Inc. as presented this evening." Salter seconded the motion. All aye.

- 5.2. Annual 7-Day Live Entertainment Permit for 2023 - American Legion E.M. Connor Post #193- Karin Wyson, Manager, application for an Annual 7-Day Live Entertainment permit for the American Legion Post. They are planning on having multiple events throughout the year and thought an annual permit would serve them better. They obtain annually a food permit and their outdoor pavilion is already licensed to serve alcohol. If any of the events are above and beyond what they have listed here, they have been asked to reach out to the Town Manager's office to inquire if a special permit would be needed. Note: The 7-Day reference to this permit allows them to have entertainment on any day of the week. There are no issues from Department Heads.

Anderson moved the Board of Selectmen approve the annual 7-Day Entertainment Permit for the American Legion Post 193 as presented this evening with the understanding they notify the Winchendon Police department prior to any event. LaPointe seconded the motion. All aye

- 5.3. Common Victualler License – Riverwalk Café, 302 Spring Street- Riverwalk Café has been operating for a number of months now not aware they also needed a Common Victualler license from the Board of Selectmen. They have their food service permit issued by the Board of Health. The owner Alan Wong will be present on his application. There are no issues from Department Heads.

Anderson moved the Board of Selectmen approve the Common Victualler License for Riverwalk Café LLC, 302 Spring St. as presented this evening and LaPointe seconded the motion. All aye.

- 5.4. Class II Amendment – NPM Auto Sales, Inc., 230 Baldwinville State Rd.- Linda Daigle said the Board may recall approving the Class II license for NPM Auto Sales, Inc. at your November 14, 2022 meeting. Upon renewing their license for 2023, it came to our attention that they have formed a corporation and no longer structured under Nathanael deMatos, doing business as, NPM Auto Sales. They filed with the Secretary of State creating a corporation, NPM Auto Sales, Inc. Mr. de Matos has partnered with Alan Barros Sampaio. Department Heads had no issues with this license. **Anderson moved the Board of Selectmen approve the Class II license amendment for Nathanael de Matos to NPM Auto Sales, Inc., located at 230 Baldwinville State Rd., as presented this evening and LaPointe seconded the motion. All aye.**

- 5.5. 2023 Board of Selectmen Annual License Renewals- Acting as the Local Licensing Authority, enclosed is a spreadsheet of your 2023 Annual License Renewals per license holder for the Town of Winchendon. Ward read the second spreadsheet is sorted by license type (CATEGORY) for a different view of the types of licenses the Board issues. Inspections have been completed and all of the paperwork necessary has been or will be provided prior to issuing the 2023 licenses. Fees have been collected. We have five licensees not renewing this year. They are:

- Gardner Area League of Artists – Annual Entertainment License
- Hometown Café, Inc. – Common Victualler
- J. Snow & Company – Class II
- Karl's Automotive Center, Inc. – Class II
- Zoe's Restaurant and Pizzeria, LLC

Camelot Farms lodging house located at 50 Old Centre is behind on their taxes in a substantial amount. Property taxes past due are \$13,673.38. Also they have a past due water bill in the amount of \$3,313.86. The payment plan they arranged with the Treasurer/Collector's office previously of \$1,000 a month, has not been met. The manager, Frances Chiminje said he has lost a number of veteran's that have rented from him this year making it difficult. He said he spoke to the owner, Didier Watsop, who is working on

obtaining more revenue. Sultzbach said we can work to set up a solution. Linda Daigle said she spoke to the Veterans Agent who might be able to offer some assistance.

LaPointe moved the Board of Selectmen approve the renewal of the 2023 licenses as presented this evening (with the exception that Camelot Farms is renewing for only three months and also to execute the "Renewal Certification 2023" form to the Alcoholic Beverages Control Commission and LaPointe seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, and Ward aye.

Linda Daigle gave A "Thank you" goes out to all the Departments for their part in this renewal process and being prompt with their inspections and reports back to this office. A special thank-you to Debra Dennis who has done excellent work handling the many business licenses coming through this office in the last two months.

Ward read-New Year's Eve Closing for Section 12 Liquor License Holders- It has been customary in the past that the Board, acting as the Local Licensing Authority, extend the hours of operation for Section 12 (on premises pouring) liquor license holders until 2:00 a.m. on New Year's Day. If you wish to extend the hours again, please vote to do so. Linda said this past year the Police Chief said there wasn't any issues. Chief Dan Wolski said there has been no issues to add another hour. He has no problem with it.

LaPointe moved that Board of Selectmen authorize to extend the hours of operation for Section 12 liquor license holders until 2:00AM on New Year's Day and Anderson seconded the motion. Roll Call Vote: Salter aye, Anderson aye, LaPointe aye, and Ward aye.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS

- 6.1. Report of the Community Preservation Act Exploratory Committee-Dave Romanowski joined via zoom and Mark Dowart, members of the Community Preservation Act Exploratory Committee. David Romanowski explained what the Community Preservation Act is and also went over the Community Preservation Act Exploratory Committee recommendation. The CPAEC recommends the town locally adopt the CPA at the 3% threshold. The Board discussed the potential costs per home owner depending on their assessed value if approved.

7. NEW BUSINESS:

- 7.1. Town Manager's Annual Performance Review-**LaPointe made a motion to table and Anderson seconded. All aye.**

8. OLD BUSINESS:

- 8.1. Update on Special Municipal Employee List and Vote for Approval-Sultzbach said a list has been received highlighting a precedence. He said he is asking to combine these two list previously. He discussed certain employees that shouldn't be on the list. He went over the list that he proposed. It is the roles specifically not the person. Anderson said she would like to remove all on the list. Sultzbach said the Inspector General's Office recommended the town provide an updated list. Ward said we are not setting precedence they are already voted as special municipal employees. Selectman Anderson was opposed to the list and wanted more details. **LaPointe moved the board designate those listed above with the exemption of School Committee and Finance Committee as permitted by MGL Chapter 268A Massachusetts Conflict of Interest Law superseding previous lists submitted in 1963 and 1984 and further direct the Town Manager to notify the Town Clerk of this updated list and Ward seconded the motion. Roll Call Vote: Anderson no, LaPointe yes, Salter no, and Ward no. Ward made a motion the Board designate those listed above with the exemption of School Committee as permitted by MGL Chapter 268A Massachusetts Conflict of Interest Law superseding previous lists submitted in 1963 and 1984 and further direct the Town Manager to notify the Town Clerk of this updated list and LaPointe seconded. Vote: Anderson no, LaPointe yes, Salter no, and Ward yes.** The Board said this will be on the next agenda.

- 8.2. Review of Audits- RFP results-Charles Quartz –one proposal was received by Roselli, Clarke & Associates. Anderson questioned how this was advertised since only one proposal was received. Town Manager Sultzbach said it was advertised and also put directly in the hands of auditing firms who contacted our office.

9. TOWN MANAGER'S REPORT-Sultzbach went over the report (see attached).

10. MINUTES:

Monday, November 14, 2022 -Regular Meeting- **LaPointe made a motion to approve as presented and Salter seconded the motion. Barbara abstained. All other yes.**

Monday, December 5, 2022-Special Meeting- **Anderson made a motion to approve as presented and LaPointe seconded the motion. All aye**

11. COMMUNICATIONS: There was no discussion this evening on this subject.

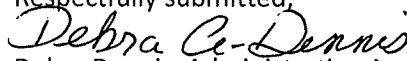
12. AGENDA ITEMS: There were no discussion this evening on this subject.

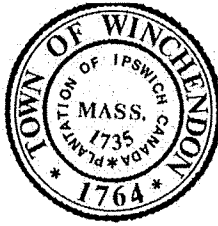
13. EXECUTIVE SESSION: Anderson moved to enter into Executive Session - M.G.L. c. 30A, Section 21(a):
Subsection 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; subjects being the Town Accountant Search Discussion and also for the Police Chief Contract Negotiations and to return to Open Session for the sole purpose of adjournment and LaPointe seconded. Roll Call Vote: Salter aye, LaPointe aye, Anderson aye, and Ward aye.

14. ADJOURNMENT:

Vice Chair Ward moved to adjourn from Regular Session at 9:00pm Salter seconded. Roll Call Vote; Salter aye, Ward aye, Anderson aye and LaPointe aye. Passes Unanimously

Respectfully submitted;


Debra Dennis, Administrative Assistant



Report of the Town Manager

January 9th, 2023

1. Financial Updates-

- a. My office has submitted an engagement letter to Roselli and Clark for the upcoming audit, as recommended by the Audit Committee.
- b. I have been working with my team to ensure Mr. Roselli is able to provide his Management Letter in time for the upcoming Tri-board meeting on the 17th.
- c. As a reminder, the February tax bill is due the first Monday in February.
- d. Budget season is almost upon us. A draft schedule will be finalized and presented at your upcoming Tri-Board meeting.
- e. As referenced in a previous meeting, please see attached to this document a complete list of Robinson Broadhurst Foundation grant requests for this FY (to be uploaded Monday).

2. Personnel Updates-

- a. We have reposted the Town Accountant position. Thank you to Joanne Goguen for filling in in an interim capacity. We are also negotiating the additional support of an outside accounting firm to ensure all bases are covered.

3. Project Updates-

- a. The first stage of work at the Old Murdock was completed early in the New Year. The structure is fully secured for the winter months.
- b. Some final streetlights are being wired on Central Street. Work will commence in spring.
- c. Two public forums are being held for the Fire Station Design Project. Chief Smith will be hosting a virtual session on Thursday, January 12th. An in person review will be held as part of the Tri-Board meeting upcoming on January 17th.
- d. I have been working closely with Representative Zlotnik to secure some funding for exterior Town Hall repairs as part of in H.4790-*An Act financing the general governmental infrastructure of the Commonwealth*. I will be submitting a letter of support for this initiative. Should there be no objections from the Board, a letter of support signed by the Chair of this Board would be helpful.

4. Miscellaneous Updates –

- a. A citizen has made our team aware of some deficiencies under the Maple Street Bridge. This State-owned asset is inspected regularly, however we have asked the State to provide an action plan for repairs.
- b. As reported, there was a substantial break on our main water transmission line from Ashburnham. This resulted in the need to switch over to emergency tanks. This backup tank was drawn down considerably and took several days to recharge.
- c. DPW Director Croteau has taken the initiative to pursue a regionalization opportunity with Ashburnham and our Transfer Station. We will be meeting this week with Ashburnham, and will bring back information to this board for direction. Should a Board Member or two like to join us please let me know.
- d. As of December 2nd, 2022 I have officially submitted my annual review to the Board of Selectmen. This four page self-assessment is included in this packet for public review. I look forward to feedback from the Board and general public.