

Approved: 2-27-2023

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MEETING AGENDA
INCLUDES QUAD-BOARD MEETING WITH FINANCE COMMITTEE, CAPITAL PLANNING
COMMITTEE & COMMUNITY PRESERVATION ACT EXPLORATORY COMMITTEE
MONDAY, FEBRUARY 13, 2023
Town Hall, 2nd Floor Auditorium, 109 Front Street, Winchendon, Mass.**

Present:

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

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

List of Documents Presented at Meeting:

- Entertainment Permit Application - Winchendon CAC - Winchenstock Concert & Fundraiser 8/12 12pm-9pm (filed)
- Winchendon CAC Presentation (filed)
- Town of Winchendon Special Town Meeting Warrant-March 13, 2023 7:00pm (attached)
- Worcester Regional Retirement System Memo-Chapter 269 of the Acts of 2022-Cost-Of-Living Adjustments (filed)
- Memo from Town Manager-An Act Relative to Cost-Of-Living Adjustments for retirees (filed)
- Community Preservation Act Bylaw Expectations and Request for Commitment (filed)
- Memo from Town Manager-Izapa Stela 5 Host Community Agreement Update (filed)
- Memo from Town Manager-Review of Cleargov Data and determination for future use (attached)
- Town Manager's Report (attached)

6:32 P.M. Call meeting to order
 Pledge of Allegiance to the Flag of the United States
 Announce audio/video recording disclosure-No one

1. **SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:** Ward commented about the passing of Raymond C. Clapp. His service to the town is remembered and appreciated. LaBrie commented there is another month to go to register to go on the ballot to be elected on multiple openings on town boards/committees.
2. **PUBLIC COMMENTS AND ANNOUNCEMENTS:** There were no public comments or announcements this evening.
3. **PUBLIC HEARINGS:** There were no public hearings this evening.
4. **APPOINTMENTS/RESIGNATIONS:** Introduction of Town Accountant Katie Medina - Sultzbach introduced the new Town Accountant Katie Medina. Ms. Medina said she is looking forward to working for the Town of Winchendon.
5. **PERMIT/LICENSE APPLICATIONS:**
 - 5.1 **Entertainment Permit - Winchendon CAC – Winchenstock Concert & Fundraiser 8/12 12pm-9pm-**
LaPointe recused herself. Miranda Jennings and Shanna Cunningham came forward. Ms. Jennings said Winchenstock will be at the Amphitheater on August 12th, there will be bands and food trucks available. A police detail will be used for this event.

Ward moved to approve the Entertainment Permit from Winchendon CAC as presented this evening and Anderson seconded the motion. Vote all yes.

LaPointe returned to the table. Anderson made a motion to take 7.1 out of order and Ward seconded the motion. All aye.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS

QUAD-BOARD MEETING WITH FINANCE COMMITTEE & CAPITAL PLANNING COMMITTEE & COMMUNITY PRESERVATION ACT EXPLORATORY COMMITTEE

The Finance Committee joined the Board at the table. They continued their currently meeting in session that was held on the 4th floor.

- 6.1 **Presentation of FY24 Capital Improvement Plan**-Capital Planning Committee Chair Mr. Barbaro was present. Sultzbach said we are looking at about \$2,480,394 in funding. Barbaro said they introduced a rating scale pertaining to needs. He went over the FY24 Capital Improvement Plan and explained the funding source for each capital purchase and where the funding would come from.

The Finance Committee adjourned and left the joint meeting.

- 6.2 **Review Special Town Meeting Warrant**- Sultzbach went over the special town meeting warrant articles. He discussed the amendment to Article 5 pertaining to the CPA language. **Ward made a motion to accept article 5 as amended this evening and LaPointe seconded the motion. Vote all aye.**

7. NEW BUSINESS:

- 7.1. **Winchendon Community Action Committee-(CAC) Presentation**-Miranda Jennings and Shanna Cunningham went over the presentation of what programs and services the Winchendon Community Action Committee offers to the community. Ward commented their activities have increased and asked how their budget was keeping up with it. Miranda replied that they are doing fundraising but their budget hasn't been met yet. She invited all to come to the Sunshine Café Wednesday and support the young people.
- 7.2. **Vote recommendations on Special Town Meeting Articles**-Anderson made a motion to recommend Article 2 and LaPointe seconded the motion. **Vote: all aye.**

LaPointe made a motion to recommend Article 3 and Anderson seconded the motion. Roll Call Vote: Salter aye, Ward aye, Anderson aye, LaPointe aye and LaBrie aye.

Ward made a motion to recommend Article 4 and Anderson seconded the motion. Roll Call Vote: Salter aye, Ward aye, Anderson aye, LaPointe aye and LaBrie aye.

Ward made a motion to recommend Article 5 and Anderson seconded the motion for discussion. Anderson said the timing is bad. Salter agreed with Anderson. Roll Call Vote: Ward aye, LaPointe aye, Salter no, Anderson no, and LaBrie aye.

Ward made a motion to recommend Article 6 and Anderson seconded the motion for discussion. Anderson stated she is concerned because it states borrowing. Sultzbach said it would come back to town if borrowing is going to be done. Roll Call Vote: Salter aye, Ward aye, Anderson aye, LaPointe aye and LaBrie aye.

- 7.3 **Vote regarding an Act Relative to Cost-Of-Living Adjustments for Retirees** -Sultzbach commented this would be an additional 2% cost of living adjustment for retirees. For this to be enacted, the law requires 2/3rds approval from Chief Executive Authorities that are part of the WRRS. This is the Board of Selectmen. This would be in addition to the typical 3%. **Ward made a motion the Board of Selectmen vote to support the 2% cost of living increase as proposed by the Worcester Regional Retirement System as allowed by Chapter 269 of the Acts of 2022-An Act Relative to Cost-Of-Living Adjustments for Retirees and**

LaPointe seconded the motion. Roll Call Vote: Salter aye, Ward aye, Anderson aye, LaPointe aye and LaBrie aye.

8. OLD BUSINESS:

8.1 Community Preservation Act Exploratory Committee – Revised Support Letter – Sultzbach said if this goes through, you would be supporting the guidelines set forth. Salter said the voters haven't said they want this yet. **LaPointe made a motion to support this letter of support of the CPAEC financial guidelines and to authorize the Chair to sign this letter. Ward seconded the motion. Vote: All aye except Salter no.**

8.2 Izaiah 5 Host Community Update-Sultzbach said this is for 703 School Street. The Host Community Agreement contains standard language with some minor changes which are: 1.) Implementation of a subset clause, in this instance 18 months, ensuring that if an applicant fails to move forward with their project, the Board has the power to withdraw their HCA or extend it if agreeable; 2.) The removal of the 3% Community Impact Fee as a mandatory piece.

8.3 Review of Cleargov Data and determination for future use-Sultzbach said Cleargov is a program we currently subscribe to which is a widget on our town website. He said he looked at the data of usage which was only forty viewing session to date for FY23 with the average view lasting less than 5 minutes. He said he wanted to get the input from the Board on this matter as to renewing the annual subscription at a cost of \$5,000. Anderson discussed changes that need to be made to the town website. Sultzbach offered a project for Ms. Daigle to review the website and train individuals as to how to update their department pages. This will be an agenda item on the next meeting. The Board will consider not renewing the annual subscription for Cleargov.

9. TOWN MANAGER'S REPORT

Sultzbach went over the Town Manager's report which included project updates, personnel updates, and financial updates. LaBrie discussed turning the old fire station into a museum.

10. **MINUTES:** There were no minutes this evening.

11. **COMMUNICATIONS:** There were no communications this evening.

12. **AGENDA ITEMS:** Next regular meeting is February 27, 2023.

13. **EXECUTIVE SESSION:** Chair LaBrie moved the Board go into Executive Session per:

13.1. 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. -Discussion on Town Manager's FY24 contract

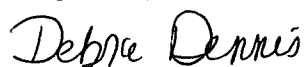
13.2. Executive session pursuant to the provisions of G.L. c.30A, §21(a)(3) to discuss strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: Federal Multidistrict Litigation vs. CVS, Walgreens, Walmart, Teva, and Allergan

Ward seconded the motion. Roll Call Vote: Salter aye, Ward aye, Anderson aye, LaPointe aye, and LaBrie aye.

The Board went into Executive Session at 8:29pm and will return to open session just for adjournment.

14. ADJOURNMENT:

Respectfully submitted:



Debra Dennis, Administrative Assistant



**TOWN OF WINCHENDON
SPECIAL TOWN MEETING WARRANT
MONDAY, MARCH 13, 2023
7:00pm — Murdock High School**

SPECIAL TOWN MEETING SUMMARY SHEET

ARTICLE	DESCRIPTION	COST	SOURCE
1	Committee Report	N/A	N/A
2	Prior Year Bills	\$1,394.86	Free Cash
3	Broadcasting Equipment Upgrades	\$40,000	Free Cash
4	Town Bylaw Amendment - Recreation	N/A	N/A
5	Community Preservation Act	N/A	N/A
6	Whitney Pond Dam Non-Binding Referendum	N/A	N/A

FINANCE COMMITTEE PUBLIC HEARING

Tuesday, February 7th, 2023

7:00 PM

Town Hall, 2nd Floor Auditorium, 109 Front Street

**TOWN OF WINCHENDON
SPECIAL TOWN MEETING
MARCH 13th, 2023**

Worcester, ss:

To either of the Constables in the Town of Winchendon, in the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Winchendon qualified to vote in town elections and town affairs to meet at the MURDOCK MIDDLE/HIGH SCHOOL, 3 Memorial Drive, off Elmwood Road in said Winchendon on

**MONDAY, MARCH 13th, 2023
AT 7:00 P.M.**

then and there to act on the following articles:

REPORTS AND COMMITTEES

ARTICLE 1

To see if the Town will vote to hear and act on the reports of the Finance Committee, and any other Board or Committee, or act in relation thereto. (usual and customary article)

BOARD OF SELECTMEN: RECOMMEND 0-0 FINANCE COMMITTEE: PASS OVER 6-0

FINANCIAL ARTICLES

ARTICLE 2

To see if the Town will vote to transfer from Free Cash the sum of \$1,394.86 for payment of prior fiscal year bills as follows:

Fiscal Year	Name	<u>Invoice Amount</u>
FY2022	To Each His Own Design	\$747.62
FY2022	KP Law	\$647.24
Total		\$1,394.86

(submitted by the Town Manager)

(Nine Tenths Vote Required)

BOARD OF SELECTMEN: RECOMMEND 5-0 FINANCE COMMITTEE: RECOMMEND 6-0

CAPITAL ARTICLES

ARTICLE 3 - CAPITAL PURCHASE

To see if the Town will vote to transfer from Free Cash the sum of \$40,000 for Broadcasting Equipment Upgrades and staff support in Town Hall, or to take any other action related thereto.

(submitted by the Board of Selectmen)

(Majority Vote Required)

BOARD OF SELECTMEN: RECOMMEND 5-0 FINANCE COMMITTEE: RECOMMEND 6-0

CAPITAL PLANNING COMMITTEE 0-0 SCHOOL COMMITTEE: RECOMMEND 0-0

OTHER ARTICLES

ARTICLE 4 - GENERAL BYLAW AMENDMENT

To see if the Town will vote to amend the General Bylaws of the Town of Winchendon as recommended by the Recreation Commission and Winchendon Community Park Committee as shown below with text to be inserted underlined and text to be deleted crossed out:

ARTICLE 24

PARKS & RECREATION COMMISSION

1. A) There shall be a Parks & Recreation Commission [the Commission] consisting of nine (9) ~~seven (7)~~ members appointed by the Board of Selectmen. The Commission shall consist of not more than two (2) Middle or High School students who reside in Winchendon. One (1) member shall be a Winchendon middle school student in good standing, and one (1) member shall be a Winchendon high school student in good standing.
 - (B) Except as provided in subsection 1(D), the terms shall be for three (3) years and so arranged that the term of as nearly an equal number as is possible shall expire each year.
 - (C) Upon the completion of these original terms, each member shall serve for three years, except as provided in subsection 1(D).
 - (D) Middle or High School Student members, if any, shall be appointed annually.
2. The Commission acts in an advisory capacity in matters pertaining to public recreation, The Commission shall makes annual budget recommendations and assists in creating policy and planning a recreation program to stimulate public interest and community wide engagement, including the planning of park and recreation facility maintenance.
3. The stated primary function of the Commission is to expand and enhance the recreation opportunities for the residents of Winchendon as well as to help beautify & maintain the parks and recreation areas within Winchendon.

4. The Commission may make recommendations for the establishment of reasonable fees for use of any recreation facilities and Programs as it deems to be consistent with established Recreation Policy and Bylaws.

The Commission shall submit to the Town Manager its recommendation for an annual budget.

or act in relation thereto.

(Submitted by Recreation Commission and Winchendon Community Park Committee) (Majority Vote required)

BOARD OF SELECTMEN: 5-0 RECOMMEND FINANCE COMMITTEE: 6-0 RECOMMEND
RECREATION COMMISSION: 0-0 RECOMMEND WCPC: 4-0-1 RECOMMEND

ARTICLE 5 - COMMUNITY PRESERVATION ACT

To see if the Town will vote to accept the Community Preservation Act, G.L. c.44B, §§3-7, and establish a property tax surcharge of 3%, to be effective July 1, 2023, for the three general purposes of the CPA, open space and recreation land, historical preservation and creation and support of community housing, and adopt the following three statutory exemptions:

1. Property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the town would be exempt from the surcharge upon filing an annual application.
2. The first \$100,000 of taxable value of residential real estate would be exempt (automatically applied).
3. The first \$100,000 of taxable value of class three commercial and class four industrial properties would be exempt (automatically applied).

and, further noting that, as required by law, adoption of the act and imposition of the surcharge may occur only if the voters of the Town also approve adoption of the CPA in the form voted by this meeting; or take any other action relative thereto.

(Submitted by Community Preservation Act Exploratory Committee) (Majority Vote required)

The Community Preservation Act is a statewide program dedicating funds to three general purposes: acquisition and preservation of open space and recreation land; historical preservation of land, buildings, and documents of historic value; and creation or support of community housing (with affordability defined by reference to HUD average median income findings). Locally, a property tax surcharge of up to 3% is assessed for such purposes. At the state level, each Registry of Deeds assesses a surcharge on all transactions, and such amounts are later dispersed to participating communities based upon a formula that includes the amount collected through the local surcharge and the percent surcharge assessed. The Community Preservation Exploratory Committee, Finance Committee and Select Board support adoption of the CPA with a 3% surcharge and all of the available exemptions, and recommend adoption of a financial policy that limits the total amount to be expended annually, so that 5% of annual revenues will remain in the fund, and prohibits borrowing.

If approved by Town Meeting and, later, at an election, a Community Preservation Fund (CPF) will be established to receive the local surcharge and state matching funds. State law requires that each year, 10% of what is collected in the CPF be spent or set aside for each of the four purposes of the CPA. State law also allows up to 5% of what is collected to be appropriated for the annual expenses of a Community Preservation Committee (CPC); any unexpended portion of the annual appropriation closes out to the CPF at the end of the fiscal year. The CPC will be established by by-law, with 5 statutorily required representatives of particular boards and committees, and up to 4 additional elected members. Town Meeting cannot appropriate CPA funds without a recommendation from the CPC, although Town Meeting may reduce or reject the CPC's recommendation.

BOARD OF SELECTMEN:	3-2 RECOMMEND
SCHOOL COMMITTEE:	0-0 RECOMMEND
FINANCE COMMITTEE:	0-0 RECOMMEND
COMMUNITY PRESERVATION ACT EXPLORATORY COMMITTEE:	0-0 RECOMMEND
CAPITAL PLANNING COMMITTEE:	5-0 RECOMMEND
PLANNING BOARD:	0-0 RECOMMEND
CONSERVATION COMMISSION:	4-0 RECOMMEND
HISTORIC COMMISSION:	5-0 RECOMMEND
RECREATION COMMISSION:	0-0 RECOMMEND
AGRICULTURAL COMMISSION:	0-0 RECOMMEND

ARTICLE 6 - WHITNEY POND DAM NON-BINDING REFERENDUM

To see if the Town will vote to recommend the Board of Selectmen seek grant and other available funds for the purpose of making certain improvements to the Whitney Pond Dam such that water levels in the Whitney Pond will be higher and restored to the levels obtained when the Dam was originally installed, rather than proceeding with a more cost effective repair of the existing Dam with available funds that would keep the water level at its current, lower level but permit the Dam to continue functioning as needed for the foreseeable future; or to take any other action relative thereto.

(Submitted by the Board of Selectmen) (Majority Vote Required)

BOARD OF SELECTMEN: 5-0 RECOMMEND

FINANCE COMMITTEE: 6-0 RECOMMEND

You are hereby directed to serve this warrant by posting attested copies thereof at the several places designated by the bylaws of the Town of Winchendon fourteen days at least before the time of holding such meeting and by mailing a notice with information on how and where a copy of the warrant can be obtained and where it can be viewed (electronically and/or in person) to be mailed to each household owned or occupied by a registered voter of the Town. Immediately upon posting of the warrant, copies shall be provided to citizens on request and the warrant shall be posted on any Town electronic bulletin board and on the Town website as required by said bylaws.

Hereof, fail not and make due return of said warrant with your doings thereon at the time and place of the meeting aforesaid. Given under our hands and seal this 6th day of February 2023.

BOARD OF SELECTMEN:

Audrey LaBrie, Chair

Rick Ward, Vice-Chair

Barbara Anderson

Danielle LaPointe

Amy Salter

I have this day posted the within warrant as therein directed:

PRINT CONSTABLE NAME

SIGN CONSTABLE NAME

DATE:

FINANCE COMMITTEE PUBLIC HEARING
Tuesday, February 7th, 2023 at 7:00 PM
Town Hall, 2nd Floor Auditorium, 109 Front St.

This institution is an equal opportunity provider. To file a complaint of Discrimination write USDA, Director, Office of Civil Rights, Washington, DC 20250-9410

TOWN OF WINCHENDON

OFFICE OF THE TOWN MANAGER

109 Front Street, Dept. 1, Winchendon, MA 01475-1758

Telephone (978) 297-0085 Fax: (978) 297-1616
jsultzbach@townofwinchendon.com

TO: Board of Selectmen

FROM: Justin Sultzbach, Town Manager

DATE: February 13th, 2023

RE: Review of Cleargov Data and determination for future use

Board Members,

As you are aware, we have an annual subscription to ClearGov. This budgeted expense comes in at \$5,000 a year. I have reached out in the past to ClearGov (and again more recently) asking for data we could review to highlight how much this is actually used by our residents. When it comes to reviewing budget items, we saw only 40 viewing sessions to date for FY23. For each of those sessions, an "average view" lasted less than 5 minutes.

This comes out to \$125 per session, for 5 minutes of viewing. (Keep in mind that those 40 sessions are likely multiple sessions of the same person, and include views from our own office). While I support the intent of this initiative, it is worth pointing out that all data on ClearGov is data that is already publically available. Our operations are an open book, by law. As we look to enter a tight budget year, this begs the question: Is this \$5,000 expenditure a responsible use of our citizen's limited resources? Further, are there other areas where this \$5,000 could be better used?

I would appreciate input from the Board on this matter.





Report of the Town Manager

February 13th, 2023

1. Financial Updates-

- a. Our FY22 audit has been officially certified.
- b. MV Excise tax bills will be mailed out in the coming weeks.
- c. "Abatement season" is underway in the Assessor's office. If you have questions about your tax bill or dispute your value, please reach out to Town Hall.

2. Personnel Updates-

- a. Welcome to Katie Medina, our new Town Accountant.
- b. Interviews will be held this week for the vacant Assistant Treasurer position.
- c. The Robinson Broadhurst foundation has funded our Part Time Recreation Coordinator in a full time role. This will take effect on April 1st.
- d. The Winchendon Police Department has started the early phases of their accreditation process. This is a multi-year initiative, and will result in the Winchendon PD being a fully accredited Police Department.

3. Project Updates-

- a. The .gov conversion for our Town Website and email is officially complete. Thank you to Don O'Neil for seeing this project through.
- b. We are in the process of pricing out the cost of moving the Town Hall server over to the "Old Fire Station" area of Town Hall. This area has access to full generator power which would prevent Town Hall systems (including email) from crashing during weather events.
- c. Rounding off a busy week for IT, I am happy to announce we have received grant funding for Cyber Security training in Town Hall.
- d. There has been a flurry of activity around Whitney Pond including site visits for 4 Summer Drive as well as the Beech St property.

4. Miscellaneous Updates –

- a. Our team has been actively working on several grant opportunities, including Mass Trails, a Mass Works grant, and the upcoming years CDBG grant round.