

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, MAY 11, 2020 6:30 P.M.**

**-- Conducted by Remote Meeting --
Zoom Meeting ID: 966 2702 0362**

Present:

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

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

List of Documents Presented at Meeting:

- Introduction to Remote Meeting (attached)
- Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20 (attached)
- Board & Committee May Vacancy Notice (filed)
- Board of Selectmen Appointment Renewal List (filed)
- Annual Report of the Collector/Treasurer (filed)
- Certificate of Compliance Request - 558 River St (filed)
- Email dated May 7, 2020 from KP Law Regarding Annual Budget for Town Meeting (filed)
- Town Manager's Memo dated February 4, 2020 regarding Engineer's Report on Recommended Repairs to the Old Murdock Senior Center (filed)
- Report of the Town Manager (attached)
- Minutes approved:
 - Monday, April 27, 2020 Regular Meeting
 - Monday, April 27, 2020 Executive Session

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.

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

LaBrie confirmed members present and persons anticipating to speak by calling their name and asking for a response in the affirmative: Barbara Anderson, yes; Amy Salter, yes; Rick Ward, yes; and Audrey LaBrie, yes. Staff members present and responding in the affirmative were Keith Hickey, Town Manager, Donna Spellman, Collector/Treasurer, Linda Daigle, Executive Assistant, Taylor Tower, Administrative Assistant, Tracy Murphy, Director of Planning & Community Development, and Albert Gallant, DPW Director.

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

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

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

1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:

There were none heard. LaBrie hoped all were doing well and affirmed that we will get through this together.

Due to audio technical difficulties, Selectwoman Anderson left the meeting at 6:37 p.m.

Selectman Barbaro joined the meeting at 6:37 p.m. He reminded the public to wear a mask when out and about. He was disappointed to see several people without a mask and reminded all that they are important to keep everyone healthy.

Selectwoman Anderson rejoined the meeting at 6:38 p.m.

2. PUBLIC COMMENTS AND ANNOUNCEMENTS:

There were no public comments or announcements this evening.

3. PUBLIC HEARINGS:

There were no public hearings scheduled for this evening.

4. APPOINTMENTS/RESIGNATIONS:

4.1. List of Board of Selectmen Board and Committee Appointment Renewals for July 1, 2020 – LaBrie introduced the list of Board of Selectmen Committee Appointment Renewals for the Board's approval in June. She noted the appointment process and asked if there were any questions from the Board. After review, there were no questions or concerns from the Board.

4.2. Board of Selectmen Board and Committee Vacancies – LaBrie read aloud the list of current vacancies. She informed the public that those with any questions or interest in serving should contact the Town Manager's Office.

5. PERMIT/LICENSE APPLICATIONS:

There were no permits or license applications before the Board this evening.

6. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENT:

Annual Update from Collector/Treasurer, Donna Spellman – Ms. Spellman was present to provide her yearly update. Her department employs three positions, one of which is vacant, leaving the office short-staffed. The department is quite busy at present due to personal property tax and excise tax deadlines. This year, 4,671 real estate accounts have been billed twice and 11,569 motor vehicle excise tax bills have been mailed. As of April 30th, real estate and personal property tax billed has amounted to \$12,708,797.01, of which \$10,105,069.82 has been received and collected. With the extension of the due date of 4th quarter taxes to June 1st, most of the remaining balance will be collected at the end of May mostly from the larger tax services. A balance of \$2,603,727.19 remains to be collected. Spellman noted tax services are a large part of their collection, one service turns over 1,700 bills every quarter. The \$2.6 million will come down drastically with them waiting for the last day to pay. LaBrie asked if the tax service was when you pay through your mortgage and your taxes are paid in escrow and the mortgage company pays it for you. Spellman responded yes, and if there is escrow, your taxes will probably not be paid until May 30th.

An auction was held in October which featured four properties to be sold. This profited the Town \$108,133.06 and the department hopes to hold yearly auctions on foreclosed properties. Spellman noted that she has petitioned the Department of Revenue to foreclose through land of low value on ten properties in the amount of \$22,458; she currently awaits their decision.

She noted their Department handled Human Resource benefits for all Town and School employees and for the retirees including the health and dental benefits.

Barbaro asked what was available for cash on hand and if it would be enough to carry the Town through the fiscal year. Spellman answered that there is a little more than seven million dollars available and due to relatively low expenses, it would be enough to carry through the end of the fiscal year.

Ms. Spellman was thanked for her report this evening.

7. NEW BUSINESS:

- 7.1. Certificate of Compliance to Remove Deed Rider - 558 River St. – Tracy Murphy, Director of Planning & Development, explained to the Board that the homeowners purchased this property through an Affordable Housing Program funded by the Department of Housing and Community Development (DHCD). Murphy reminded the Board that at their March 9th meeting, they were presented with the Right of First Refusal. The Board declined to purchase said property and the homeowner now needs a Certificate of Compliance in order to remove the deed rider. If the Board were to vote in the affirmative, there would need to be an additional vote to authorize the Town Manager to sign the certificate.

Ward moved the Board of Selectmen issue a Certificate of Compliance to remove the Deed Rider from the property at 558 River Street with no monies owed to the Town and further to authorize the Town Manager to execute this Certificate of Compliance; seconded by Barbaro. With a roll call vote of Anderson, aye, Ward aye, Salter aye, Barbaro aye and LaBrie aye, the motion carried unanimously.

8. OLD BUSINESS:

- 8.1. Discussion to Reschedule Town Election – Hickey reminded the Board that with Annual Town Election, legislature mandates a 20-day advertising and notification period. He noted that tonight's meeting was the last meeting that the Board could vote on this matter if they wished to keep the current scheduled date of June 15th. Wendy Stevens, Town Clerk, has ordered more absentee ballots as in the past in an effort to provide absentee voting for those not comfortable with visiting the polls. Hickey notified the Board that while there is legislature that allows Annual Town Meeting to be held after June 30th, there is no such legislature for Town Election.

Anderson asked about the process for obtaining absentee ballots. Hickey answered that on the Town Clerk's webpage, there is an Early Ballot Application. Those wishing to obtain said ballots would simply fill out the form and submit it by email or mail to the Town Clerk's office. Upon receiving the completed form, the Town Clerk will then mail a ballot to be completed and submitted.

LaBrie clarified that in regards to the date of Town Election, there is no wiggle room and it must be held before June 30th. Salter inquired to the standards of hygiene to protect poll workers and asked if there were any state standards that the Town could follow, citing her concern for the safety of the workers and the volunteers. Hickey answered that he has ordered Plexiglas shields which will be an affixed object between the voter registrars and the voters. In addition, registrars will be issued masks, gloves, sanitary wipes and hand sanitizer. The Town is following any regulations offered by the Secretary of State's office in an effort to be as proactive and healthy as possible. LaBrie asked if the booths are all attached and if so, could they be separated. Hickey answered that he had given this thought, and while they are attached, he is considering closing every other booth in an effort to maintain six-foot social distancing. He also noted that the booths will be wiped down after each voter exits.

Barbaro moved to set the annual Town Election Day as Monday, June 15, 2020 with polling hours from 8:00 a.m. to 8:00 p.m. at the Old Murdock Senior Center, seconded by Anderson. With a roll call vote of Ward aye, Anderson aye, Barbaro aye, Salter aye and LaBrie aye, the motion carried unanimously.

- 8.2. Discussion to Reschedule Special and Annual Town Meeting – Hickey noted that the topic of rescheduling Special and Annual Town Meeting due to the Covid-19 virus had been discussed at prior meetings. Since

that time, legislation has been approved to allow the Town to defer Town Meeting until after June 30th and into the new fiscal year. If the Town were to do so, there is a 1/12th budget proposal brought before the Selectmen for consideration and approval. Hickey had been reluctant to place this matter on the agenda previously due to lack of information from the state, and he felt there is no real sense from the state on where revenue numbers will end up. With the substantial amount of state aid Winchendon receives, it would be fiscally irresponsible to present a budget to Town Meeting with the current unknowns of the state budget. Hickey discussed the possibility of operating on a 1/12th budget until Fall Town Meeting and then make budget cuts five months into the fiscal year. He assumes budget cuts will have to be made. He suggested to the Board the consideration of postponing Town Meeting until July or August and sought their support in developing a 1/12th budget to present to the Board. With the number of scheduled Selectmen meetings in June, it allows Hickey and Department Heads sufficient time to develop a budget, present to the Board for review and revise as necessary to re-present again before June 30th. He clarified for those listening that a 1/12th budget means that the Town is authorized to spend 1/12th of what had been previously approved for the FY'21 budget with the exception of some items, including debt payment, retirement contribution and insurance premiums to be paid in advance. No capital expenses will be allowed until a full, operational budget is in place. Hickey noted that is uncomfortable to wait until July 1st to create a full budget, he cannot be comfortable proposing a full budget without knowing where state revenues lie.

Barbaro stated that Hickey and the Board received an email from Senator Gobi with state projections; he described them as grim. He continued to say that the state will have to look at rainy day accounts and backfill what they have lost from revenue, and that it could prove difficult for school and town departments, including fire and safety. He reiterated Hickey's opinion that he is not comfortable moving forward with an unpredictable budget. He reminded the Board of the economy crash in 2008 that forced the Town to make budget cuts mid-year and reflected on the difficulty it had caused. He feels more comfortable postponing Town Meeting until July or August, when hard numbers become available from the state.

Ward agreed with Barbaro, and said he couldn't see going before Town Meeting with a budget that is simply an educated guess; the Board shouldn't even consider it. LaBrie said she is of the same mind, and that the Board needs to wait until they know just how ugly finances will be. Salter informed the Board that the state has extended their tax deadline to October 15th and she is also leery of approving any budget right now. Anderson was in agreement, and recalled that this had been brought up in prior meetings; she is not comfortable bringing a budget before Town Meeting at this time.

Barbaro moved to table this agenda item to a future meeting date, seconded by Ward. With a roll call vote of Anderson aye, Barbaro aye, Salter aye, Ward aye and LaBrie aye, the motion carried unanimously.

- 8.3. Discussion on Including a Town Meeting Warrant Article for the Senior Center Repairs – Hickey reminded the Board that this topic had been tabled months ago. With the current situation of the economy; there is no more information available then there had been in the past weeks. He wanted to gauge the opinion of the Board and offered the possibility of rescheduling this topic to when a Town Meeting date has been established. Ward suggested tabling this topic until more information is available.

Ward moved to table this agenda item to a future meeting date, seconded by Barbaro. With a roll call vote of Ward aye, Salter aye, Barbaro aye, Anderson aye and LaBrie aye, the motion carried unanimously.

Barbaro stated that this topic will obviously be a debt exclusion, and it should be placed on the warrant allowing the public time to become aware of the topic so that they are able to come to an educated decision. He would prefer to put it on the warrant as an article and let the public decide.

Anderson asked when the warrant would close. Hickey answered that once a Town Meeting date has been established, the Board would vote to establish a new warrant closing date.

LaBrie brought attention back to the previous voted-upon motion to table the item. Barbaro said the reason he is interested in placing this item on the warrant is to give supporting groups the time they need to mobilize, as he feels this item will need sufficient local support in order to pass.

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

1. Financial Updates-

- a. I will be working with Department Heads and the School Superintendent to develop a 1/12 budget for FY21 for the Board of Selectmen and Department of Revenue consideration in case the Town Meeting is not scheduled until after June 30th. I anticipate presenting a 1/12 budget at the Tri Board meeting.

2. Personnel Updates-

- a. I met with the five collective bargaining units in late April to discuss the anticipated impact of the revenue reductions anticipated in the FY21 state budget. I requested each unit to consider foregoing their FY21 contracted 2.5% wage adjustment so the savings could be used assist in balancing the FY21 budget. The firefighters union voted forego their raises, the AFSCME Clerical union voted to forego their raises if the teachers' union did the same and the Police, Dispatch and Public Works unions are unwilling to forego their raises.

Hickey informed the Board the School Superintendent met with the school side to reopen contracts, unfortunately didn't get the support he had hoped. Hickey said he and Department Heads had met with each respective union. Of the five unions, three declined to forego their step raises. Hickey also met with the Department Heads in a group meeting; they voted unanimously to decline their raises. He felt it was important to give staff the opportunity to help with savings if they were so inclined. If the projected cuts are as significant as Senator Gobi and the Governor had indicated, it could lead to layoffs. Offering staff the opportunity to assist in savings could have minimized the impact, but unfortunately, three unions were not sympathetic to the cause.

3. Project Updates-

- a. No project updates this week.

4. Miscellaneous Updates -

- a. All board and commission meetings that were televised for the years 2019 and 2020 are now available for replay on the town website. Meetings are accessed by going to the townofwinchendon.com. On the left is a button that says "Minutes Agendas and Past Meeting Videos". Once there click on the Board Meeting video hyperlinks. Past meetings for the Board of Selectmen, ZBA, Planning Board, School Committee, Board of Health and Conservation Commission are available. Hickey thanked Don O'Neil, Director of IT, for all his efforts.
- b. I have had occasional meetings with CJ Mabardy Trucking to negotiate the terms of the landfill closure agreement. Our last meeting was on May 7th where we came to a tentative agreement. Tracy and I spoke with state today to discuss their concerns. Once finalized, the agreement is expected to be placed on the Board's June 1st meeting for consideration. Mabardy has agreed to meet with abutters of the landfill property prior to June 1st to discuss the project and attempt to meet any concerns raised. I plan on attending this meeting as well.
- c. Early voting for the Annual Town meeting will be mail only. There will be no in-person early voting for the local elections. An application (on town website) or any communication in writing WITH a signature is acceptable to request an early ballot to be mailed. Early ballots are available now until noon on the last business day before the new election date.

Ward asked if the unions that declined to forgo their scheduled step raises offered a reason for their decision. Hickey responded that no real explanation had been provided but one union indicated they would not forgo their raises because Hickey was not able to guarantee that there would be no layoffs. Ward asked if a 1/12th budget is mandated, the unions would still be entitled to their pay raises. Hickey answered that existing and previously agreed-upon union contracts are allowed their raises.

10. **MINUTES:**

10.1 Monday, April 27, 2020 Regular Meeting - **Barbaro moved to approve the minutes of the April 27, 2020 regular meeting, seconded by Ward. With a roll call vote of Barbaro aye, Anderson aye, Ward aye, Salter aye and LaBrie aye, the motion passed unanimously.**

10.2 Monday, April 27, 2020 EXECUTIVE SESSION **Barbaro moved to approve but not release the minutes of the executive session of the April 27, 2020 meeting, seconded by Ward. With a roll call vote of Ward aye, Anderson aye, Barbaro aye, Salter aye and LaBrie aye, the motion passed unanimously.**

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

12. **AGENDA ITEMS:** LaBrie noted that the Board had discussed changing the scheduled May 25th meeting to June 1st, due to the Memorial Day holiday. She inquired as to the Board's thoughts for meetings scheduled through the month of June and whether members wished to keep their scheduled meeting dates of June 8th and 22nd. Ward felt that due to the new information that is made available daily, it would be prudent to maintain the scheduled dates. Barbaro indicated that he was on board with those dates and the Tri-Board meeting date as well. If a meeting needs to be cancelled due to lack of new information or agenda items, that would be better than not holding a meeting when there are pressing issues.

Anderson expressed her desire to have the water conservation schedule discussed at the next meeting; Hickey confirmed that he would place the topic on the agenda.

LaBrie reminded the Board that the next scheduled meeting is on June 1st at 6:30 p.m. Hickey stated that at present, there is a Tri-Board meeting (Board of Selectmen, Finance Committee and School Committee) scheduled for May 28th. The Finance Committee is meeting on May 12th and will confirm the meeting date.

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

14. **ADJOURNMENT:**

Barbaro motioned to adjourn, seconded by Ward. With a roll call vote of Ward aye, Anderson aye, Barbaro aye, Salter aye and LaBrie aye, the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Taylor C. Tower

Taylor Tower
Administrative Assistant