

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, NOVEMBER 7, 2016
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.**

Present:

Barbara Anderson, Chairwoman
Audrey LaBrie, Vice-Chairwoman

Keith R. Hickey, Town Manager
Linda Daigle, Executive Assistant

Amy Salter
Austin Cyganiewicz
Michael Barbaro

Debra Dennis, Recording Secretary

List of Documents Presented at Meeting:

- Town of Winchendon's Community Choice Power Supply Program Public Notice (attached)
- Liquor License Application to Change of Manager to Thomas DeFelippi-Winchendon Irving, 93 Gardner Road (filed)
- Liquor License Application to Change of Manager to Rickey Ouellet-Snowbound Club, Inc., 130 Baldwinville Road (filed)
- Liquor License Application to Change of Corporate Name/ Corporate Structure Application -Central Supermarket, IGA Inc. to Central Supermarket, LLC (filed)
- Abatement Request for Water/Sewer Charges 186 Metcalf Street (filed)
- Request to Waive a Water Charge Account #1681(filed)
- Proposed traffic patterns for Chestnut Street and Walnut Street (filed)
- Toy Town Partnership Gift Account Request(attached)
- Request to Amend and Assign Solar Agreement between Town of Winchendon from Sun Edison to Onyx Renewable Partners L.P.(filed)
- Approval of Exchange Agreement, Deed and Lease of House and Garage on the Ingleside Property for the Marvin School Property with The Winchendon School(filed)
- Special Town Meeting Assignments/Motions(filed)
 - o Police Dept. Project funding (attached)
 - o Chief Walsh's Accident History of Rt. 140 (attached)
- Report of the Town Manager (attached)
- Minutes Approved:
 - Monday, October 17, 2016 - Regular Meeting

The meeting was called to order by Chairwoman Anderson at 6:31 p.m. with the *Pledge of Allegiance to the Flag of the United States of America*.

Announce audio/video recording disclosure – There was no one who announced they would be audio or video recording the meeting this evening.

1. SELECTMEN'S COMMENTS:

Special Town Meeting Monday, Nov. 14, 2016 – Chairwoman Anderson reminded everyone of Special Town Meeting next Monday, November 14, 2016.

She said Small Business Saturday will be held November 26, 2016 at town hall from 12-4. It is a vendor fair for local businesses in town and a chance to shop local.

Town of Winchendon's Community Choice Power Supply Program Public Notice- Chairwoman Anderson reported out the Town's Community Choice Power Supply Program. She noted the rates are going down and that the notice would be posted on the website, bulletin board and Facebook.

Chairwoman Anderson noted she attended the Selectmen's Association meeting at Holy Cross. Most of the meeting was about communications. She passed along information to the Town Manager to possibly start to implement some of the ideas.

Selectman Barbaro said he went to the Beatles Tribute Band on Friday night. They had a silent auction and it went very well.

Selectwoman LaBrie said to clarify, Small Business Saturday is at Town Hall. It is for small vendors, business people who don't have a store front. If you want to take part in Small Business Saturday, you need to call the Planning Department's office.

Chairwoman Anderson said she visited Better Tomorrow Cat Shelter downtown and they are very busy and looking for people to adopt cats. They implemented on AmazonSmile and you can pick them as a charity. She wanted to pass that along

2. **PUBLIC COMMENTS AND ANNOUNCEMENTS:** There were none.

3. **APPOINTMENTS/RESIGNATIONS:** N/A

4. **PERMIT/LICENSE APPLICATIONS/PUBLIC HEARINGS:**
RETAIL ALCOHOLIC BEVERAGES LICENSE CHANGE APPLICATIONS:

Selectman Barbaro moved to take the agenda out of order; LaBrie seconded. The applicant for Winchendon Irving was not yet present.

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

Change of Manager – Snowbound Club, Inc., 130 Baldwinville Rd., New Manager Ricky Ouellet- Mr. Ouelette and Mr. Dean Sweeny who is on the Board of Directors at the club came forward. Mr. Sweeney said Mr. Ouellette has been elected as bar manager. Selectwoman LaBrie asked if Mr. Ouelette is certified. He handed over his tips certification. **Selectman Barbaro moved for the applicant; Selectwoman LaBrie seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

NEW BUSINESS:

Change of Corporate Name – Central Supermarket, IGA Inc. to Central Supermarket, LLC- Mr. Miroslaw (Mike) Szelest came forward and explained he is changing his corporate structure from a corporation S to

Liability Corporation. He will not drop the IGA logo. **Selectman Barbaro moved for the applicant; Selectman Cyganiewicz seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

Change of Manager – Winchendon Irving, 93 Gardner Rd. – New Manager Thomas DeFelippi- Ms. Amanda Beahn, area Manager for Winchendon Irving, came forward and explained Mr. Thomas DeFelippi has taken over as Bar Manager. **Selectman Barbaro moved for the applicant; Selectwoman LaBrie seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

5. BOARDS/COMMITTEES/DEPARTMENT HEADS:

Building Commissioner – Geoffrey Newton- Mr. Geoffrey Newton came forward. Mr. Hickey introduced him and said he has been employed by Royston for 34 years and is a certified building commissioner. He stepped in as Acting Building Commissioner and after interviews he was selected as the new Building Commissioner. Folks may notice a different demeanor in that office. Mr. Newton said hello and noted that Winchendon has some issues. He said it's kind of overwhelming but he's doing fine. He seems to get compliance with the tone of voice he uses. He is actively working with multi-family dwellings and will deal with owners with same respect and hopes to get compliance. He did all but one inspection for the ABCC license renewals with the Fire Department. He looks forward to future years. People have been welcoming him with open arms. He said the job will be done. The Board welcomed him and thanked him.

Selectwoman LaBrie asked if he had any information in regards to progress with the inspections. Mr. Newton said it's kind of depleted in his department having someone only three hours a day doing secretarial skills is not enough. He said he needs a full time secretary. He understands multi-family inspections are an issue here. He said he does inspections and writes letters on Fridays. He said possibly within a month and a half. He said there are 85 homes to be inspected.

Mr. Hickey talked about some additional floor staff, current part time person could come in on Friday mornings to work with Mr. Newton and he would come back and ask the Finance Committee for additional funding.

Selectman Barbaro welcomed him and said he is looking forward to his enthusiasm and glad people are happy leaving his office. Mr. Newton was thanked and he replied that it is a pleasure to serve.

6. OLD BUSINESS:

Abatement Request for Water/Sewer Charges Revisited – 186 Metcalf Street- Mr. Hickey said in the Board's packet is his memo addressing the issue. Unfortunately, there is no way to determine whether the meter was not working properly. He has spoken with DPW to have meters tested when pulled out. Since there is no way to determine this, he is recommending abatement in the amount of \$597.30. **Selectman Barbaro moved the town abate 186 Metcalf Street in the amount of \$597.30 plus any accrued interest at this time; Selectwoman LaBrie seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

7. NEW BUSINESS:

Request to Waive a Water Charge Acct. #1681- Chairwoman Anderson said the applicant is requesting the fee be waived when she leaves for the winter. DPW Director Al Gallant was asked for his opinion. Mr. Gallant said he thought it was settled months ago with fee adjustments. He said we have already voted it

once. He explained he sends two men out in a truck to shut water off, hopefully valves don't break. In the spring, after they turn the water on, we go into the house. It's a simple procedure if it works fine, just time consuming if he has to do many of them. It's \$100 each time. Mr. Hickey said he brought recommendations forward. It costs \$50 to \$60 an hour to do it which includes the use of the vehicle and benefits. The town is not trying to make money just trying to cover costs. His concern is if you approve waiving the fee, then everyone else leaving for the winter would also like to have this fee waved. He suggested if the Board is seeking to waive, he urged they look at it in the future, as a whole. The budget has been balanced with this figure. The decision is up to the Board and he will abide but wanted the Board to have all the information. **Selectwoman LaBrie moved to table for a future meeting and have this as a full agenda item;** Selectwoman Salter thought we already visited the fees and she is fine with the fees. **Selectman Cyganiewicz seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO (N) CYGANIEWICZ(Y) SALTER (N)

Mr. Gallant commented that he has already charged the fee for some houses. There are six per year that shut off their water for winterizing.

Discussion regarding proposed traffic patterns for Chestnut Street and Walnut Street: Mr. Hickey apologized for not including this item on the agenda. He said they sent letters to property owners and invited them here but mistakenly left it off the agenda. Enclosed in their packet is a map of the downtown area recommending establishing Chestnut and Walnut Street as one way streets. The reason is the final design of Walnut Street for the CDBG grant and would like to address some of the parking challenges. What Planning Director Tracey Murphy is recommending is creating two one way streets which won't inhibit traffic but provide safer pedestrian crossing. DPW Director Al Gallant came forward and noted he was in favor of this. Selectman Cyganiewicz asked about the impact on Beech Street. Mr. Hickey said the streets are in tough shape. Mr. Gallant said in his opinion, he'll take anything for free. We work hard in getting grants. Beech Street was done ten years ago but drainage is very old. Ms. Murphy didn't think there would be a traffic issue. She did get a letter from one of the property owners but they had no issue just interested in the outcome. She says Chestnut Street would be the next street she seeks funding for to correct drainage. Selectman Barbaro asked about bringing power lines, cable, etc. underground. Ms. Murphy said that is something we would have to initiate and it's expensive but we would look at it. Mr. Hickey talked about placing conduit up Walnut Street for the future. **Selectwoman LaBrie moved the Board approve the change in the traffic flow on Walnut Street and Chestnut Street as presented;** **Selectman Barbaro seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

Toy Town Partnership Gift Account Request- Mr. Ken LaBrack and Mr. Dave Romanowski from the Toy Town Partnership and Veteran's Agent Scott Gauthier came forward along with members of the American Legion. Mr. Gauthier said he has drove through towns that have flags. A member of the community likes the idea of hanging flags and has donated for this. He said we would put these down Central Street. Mr. Doug Stone is the donor who reached out to Mr. LaBrack. We are looking for your approval to establish an account to put this donation in and also leave the account open to help with flags that become in disarray and then also to maybe add more in the future. The flags will be put up starting at the Toy Town horse to Stone Ladeau Funeral Home. He showed them a flag similar to what would be put up. The biggest size allowed is 2 feet x 3 feet. **Selectman Barbaro moved to set up an account for the Toy Town Flag Project;** **Selectwoman LaBrie seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

Request to Amend and Assign Solar Agreement between Town of Winchendon from Sun Edison to Onyx Renewable Partners L.P. - Mr. Greg Cousoulas, Onyx Director of Operations and Projects came forward. Mr. Hickey explained Onyx is acquiring the solar array at the landfill from Sun Edison. He informed the Board our attorney has read the final agreement. The terms of agreement are the same as with Sun Edison. The start date is the same. This agreement assigns the project to Onyx. Included in their packet was information on Onyx. Mr. Cousoulas gave background information on Onyx Renewable Partners. They are a fully funded investment arm from Blackstone. Their job is to be that conduit to deploy capital within the renewable space. They have a world class team of individuals leading this and it's a privilege to be here. He said this is a unique situation being a landfill property but in essence its a green field and they are designing around this. Selectman Barbaro asked when we might generate power. Mr. Cousoulas said there are a lot of moving parts for this. He said they have not received the title yet for this project. It is eminent within the next seven days. They have provided a lot of engineering toward procurement as what the future would hold. They have incentives in the state, the solar renewable carve outs. It is their intent and direction of Onyx is to deploy a substantially complete system on or before May 8 of 2017. Selectman Barbaro asked where he stands in the cap being lifted. Mr. Cousoulas said he is fully engaged with this and has a number following the project and will not lose the position with the interconnection documents as well as the overall project. Mr. Barbaro asked what happens if you are not up and running. Mr. Cousoulas replied there would be a financial impact on Onyx and would affect the start date.

Mr. Hickey said that this date is not just a date in the document that there will be improvements made on this property and that electricity will be generated and provide to the grid. He asked if not May 8th, what were the repercussions from Onyx wanting to provide a comfort level to the Board. Mr. Cousoulas said excluding force majeure, a bad winter, they will be updating the Board on the project. He said it is our intention to not miss. They have engaged with vendors about the project even though not on paper yet. His direct answer, he's not the architect but speaking for the procurement, engineering and construction team, they have to hit the date. He added there are a couple facets to this, one being a financially complete on site and one being that direct inter-connection to the utility. He said the utility is also upgrading their infrastructure and is another component to that. The solar carve out in particular, it would have to be mechanically complete at the site, ready to be energized. Should there be any delay in respect to the utility, there is no penalty. They have a track level to deliver which he himself has experience with landfill facilities. He has dispatched out world class contracts and hold them to timelines.

Selectman Barbaro moved to accept the agreement as presented; Selectwoman LaBrie seconded.
ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

Approval of Exchange Agreement, Deed and Lease for House and Garage on the Ingleside Property for the Marvin School Property with The Winchendon School- Mr. Hickey said we finally have documents for the transfer of the Ingleside property to the town and Marvin School to The Winchendon School. Included in the Board's packet are the documents for both organizations. The Winchendon Enhancement Committee and The Winchendon School have worked very hard. He is happy to see the property is now owned by the town and thanked The Winchendon School for their patience and working with the town in making this a reality.

Selectman Barbaro thanked everyone involved with getting this going; it's a beautiful piece of property the town can use and he said he wholeheartedly agreed and **moved the exchange as presented; Selectman Cyganiewicz seconded.** Mr. Hickey said once the deed is signed he will FedEx it to the registry and record it next week. Selectman Cyganiewicz was happy the town supported this property at town meeting.

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER (N)

Chairwoman Anderson thanked The Winchendon School and Mr. Kerney. Mr. Kerney said it was his pleasure and also thanked the volunteers of the town that worked well.

Mr. David Romanowski, Co-Chair of Toy Town Partnership and Mr. Ken Labrack came forward and also thanked The Winchendon School and all the volunteers that helped make this happen and also the town meeting voters. Mr. Romanowski said he would like to recommend starting a new committee to look at developing the property. He said each member of the Winchendon Enhancement Committee is willing and happy to contribute and he also suggested having various town department representatives on the committee. He suggested the police, fire, DPW and the Select Board. He would like to utilize the Ingleside Master Plan as a basis moving forward with the development. Selectwoman LaBrie asked Mr. Hickey for suggestions on forming the Ingleside Committee. Mr. Hickey said he spoke to Mr. Romanowski and thought they would draft a charge of the committee which would be open to up to 15 people.

Selectman Barbaro moved for a five minute recess; Selectwoman LaBrie seconded.
ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

The Select Board took a recess at 7:47 pm and reconvened at 7:52 pm.

Special Town Meeting Assignments / MOTIONS- Chairwoman Anderson noted the updated Motions were in their packet. The Board assigned who would be presenting each article at Town Meeting:

Article 1 – Finance Committee

Article 2 – Selectman Cyganiewicz

Article 3 – Selectwoman Salter

Article 4 - Selectman Barbaro

Article 5 - Selectwoman LaBrie

Article 6 - School Committee or Selectman Barbaro

Article 7 - Selectman Barbaro

Article 8 - Chairwoman Anderson

Article 9 - Selectman Barbaro

Article 10 - Selectwoman LaBrie – Mr. Hickey explained the “Or” in the article, leaves it open to either option. The Board needs to decide how you want to do this. The motion can be amended on town floor. Selectman Barbaro said he’s endorsing either one and wants to let the town decide. Chairwoman Anderson asked Mr. Hickey how he felt. He said the Select Board needs to present how they recommend it at town meeting who looks for their guidance. At town meeting someone could make an amendment on the town floor for borrowing. The Select Board felt they needed to guide the town and choose the stabilization motion.

Article 11 - Selectman Cyganiewicz

8. TOWN MANAGER’S REPORT:

Financial Updates-

- a. All of the Town’s financial filings with the State have been completed and the annual audit submitted. The Department of Revenue (DOR) will be working to certify Free Cash during the

week of November 7th. Mr. Hickey said he and the Town Accountant had a conversation with Debra Wagner from the DOR. Free cash is not certified yet but it is estimated at \$1,670,652. He said they are proposing to use \$400,000 and returning \$1.2 million for the deficit borrowing. The state is not sure how we do that. He said maybe at a special town meeting before February 1, 2017.

Mr. Hickey said the \$140,000 from stabilization we are borrowing from ourselves will be put back at year end. Selectman Barbaro said we will be bringing the bond down to \$2.1 million. Mr. Hickey said we will be making two payments that will reduce the debt \$1.2 million.

Miscellaneous Updates –

- a. Mr. Hickey said he provided the Board with a memo regarding the Police Department project funding. The other memo is from Chief Walsh with an accident history of Route 140. Mr. Hickey said he would like the opportunity to get this information to the state Department of Transportation and ask them to make a decision on making some changes. If it comes back and the Department of Transportation is not willing to make any changes, he will bring it back to the Board.
- b. Lastly on water shut off discussed tonight, he reported we had a decent number of people pay but there are still 291 users that still owe us \$70,000. There have been a number of payment plans set up. Starting next Wednesday, we will be shutting water off, it's not what we want to do and encouraged people to please come to Town Hall so we can work with you and not shut you off.

Mr. Hickey informed the Select Board he will be spending some time at the polls tomorrow. He said over 1,000 people have voted early.

9. MINUTES:

Monday, October 17, 2016 Regular Meeting- **Selectman Barbaro moved to accept as presented; Selectwoman LaBrie seconded.**

ANDERSON(Y) LABRIE(Y) BARBARO(Y) CYGANIEWICZ(Y) SALTER(Y)

10. COMMUNICATIONS:

11. AGENDA ITEMS: Chairwoman Anderson noted the next meeting will be Thursday, November 10th which is a Joint Meeting with the School Committee; following that is a short meeting prior to Special Town Meeting on Monday, November 14th and the next regular meeting is November 21st. The December meetings will be December 5th and December 19th.

12. ADJOURNMENT:

13. EXECUTIVE SESSION:

Selectwoman LaBrie moved to enter into Executive Session under Exemption No. 3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares and to reconvene into Public Session for the sole purpose of adjournment. Chairwoman Anderson so

declared; Selectman Barbaro seconded. By roll call vote of all aye, the meeting convened into Executive Session at 8:22 p.m.

Respectfully submitted;

Debra A. Dennis
Recording Secretary