

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MEETING MINUTES  
MONDAY, APRIL 10, 2017  
Town Hall, 2<sup>nd</sup> Floor Auditorium  
109 Front Street, Winchendon, Mass.**

Present:

Barbara Anderson, Chairwoman  
Audrey LaBrie, Vice-Chairwoman  
Amy Salter  
Austin Cyganiewicz  
Michael Barbaro

Keith R. Hickey, Town Manager  
Linda Daigle, Executive Assistant  
Debra Dennis, Recording Secretary

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List of Documents Presented at Meeting:

- Liquor License Amendment Application for American Legion EM Connor Post 193 (filed)
- Note of Interest from Richard Stancombe to serve on the Zoning Board of Appeals (filed)
  - Support Email from ZBA Chair Cindy Carvill (filed)
  - Voluntary Toll Booth Permit Application for May 27, 2017 – Clark Memorial/YMCA (filed)
- Email from Greg Vine with his interest to serve on the Ingleside Utilization Committee (filed)
- April Notice of Vacancies on Selectmen Boards and Committees (filed)
- Application for Voluntary Toll Booth – Alternatives Unlimited (filed)
- Renewal Application for Junk Dealers: Second Hand Articles (filed)
- Town Manager Memo regarding request from Clean Footprint's Request for Solar Host Agreements (filed)
  - Letter dated April 6, 2017 from Clean Footprint with their Request (filed)
    - Draft Host Agreement 50 South Maple St., Brookfield, MA
    - Draft Host Agreement 54 South Maple St., Brookfield, MA
- Electrical, Plumbing and Gas Proposed Fees (attached)
- Town Manager Memo regarding Proposed Street Light Conversion (attached)
- Town Manager Memo regarding Request to Reopen the Town Meeting Warrant to Include PILOT Agreement Article (attached)
- Draft Special and Annual Town Meeting Warrant for May 15, 2017 (filed)
- Town Manager Memo regarding Recommended changes to Town Manager's Recommended FY18 Budget (filed)
  - Morton E. Converse One Hundred Year Fund Trust Document Established 1917 (attached)
  - Letter dated March 23, 2017 from Mr. Barry Rogstad providing Interpretation of the Fund (attached)
- Report of the Town Manager (attached)
- MINUTES:
  - Monday, March 13, 2017 - Regular Meeting
  - Monday, March 13, 2017 – EXECUTIVE SESSION
  - Monday, March 20, 2017 – Regular and Joint Meeting with Finance Committee

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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 – Mr. Greg Vine announced he would be audio recording the meeting this evening.

**Selectman Barbaro moved to take the Public Hearing for a Liquor License Amendment for the American Legion out of order; Selectwoman Salter second.**

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

## **PUBLIC HEARINGS:**

Liquor License Amendment Application for a Change of Beneficial Interest, Change in Directors for American Legion EM Connor Post 193 and Change of Manager – Mr. Scott Gauthier and Ken LaBrack came forward on their application. Mr. Gauthier explained this is a resubmittal application correcting mistakes on the prior one. He explained how the ABCC is looking at Clubs that are licensed wanting them to be up to date on their Board of Directors and Officer. The Management that is currently listed under this license with the ABCC and the Town have passed away. This application is to amend the license with up to date information on the Board of Directors and then the Change of Manager **Selectman Barbaro moved for the applicant; Selectwoman LaBrie seconded.**  
**ANDERSON(Y)      LABRIE(Y)      BARBARO(Y)      CYGANIEWICZ(Y)      SALTER(Y)**

**SELECTMEN'S COMMENTS:** Chairwoman Anderson announced the Town Election is Monday, May 1, 2017 at Old Murdock Senior Center from 8:00 am to 8:00pm. The Special and Annual Town Meeting is Monday, May 15, 2017 at Murdock/Middle High School at 7:00 pm.

Selectwoman LaBrie wanted to make drivers aware that kids are out of school next week. She also commented she heard the Kiwanis Club needs help with rehabbing bicycles. She said to give them a call. They do a good job for the town. She said there will be an Easter egg hunt on Saturday, April 15, 2017 at the Old Winchendon Center field if not raining, if raining it will be at Town Hall. The event will begin at 10 a.m.

Chairwoman Anderson said there will be a meet and greet with Senator Gobi and Representative Zlotnik at Town Hall on May 16, 2017. Mr. Hickey and Ms. Tracy Murphy will also be there. She said she attended a ribbon cutting ceremony with Mr. Hickey for Morin Real Estate. Darlene Rossi is taking over. They wished her well.

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

Presentation of Green Communities Certification by the Mass. Dept. of Energy and Resources – Ms. Kelley Brown the Regional Coordinator of the Green Communities Division of Massachusetts Department of Energy Resources came forward and presented the Town's Green Communities certificate and a check for \$176,245. She also had road signs to disperse throughout the community. Senator Gobi thanked Ms. Brown for everything. She said she supports the program. She congratulated the town. Representative Zlotnik said now that you have the designation it will be easier opening up other grant options. Chairwoman Anderson thanked Senator Gobi, Representative Zlotnik and Ms. Brown for their help.

## **APPOINTMENTS/RESIGNATIONS:**

Introduction of newly appointed Police Dept. Personnel – Chief Walsh came forward and introduced the newly appointed officers. He said we are fully staffed now. The following Officers were introduced: Officer Joseph Champney who has a degree in Chemistry who has been part-time with us for three years. He graduated from the academy in February with an academic average of 98. He will be working 3-11 or 11-7 shift. He said Detective Alan Ross previously worked in Fitchburg for fourteen years giving him a vast amount of experience. He has great communication skills and has been here in Winchendon for nine years. He has his Associates in Criminal Justice. His main focus will be on drug investigations. Lieutenant Kevin Wolski has been most visible, here in Winchendon most of his life. He is a twenty year veteran; a Detective for nine years. Alan and Kevin will work very well together. The Chief concluded that he was very happy with the three new positions. The Chief and the newly assigned officers were thanked and congratulated.

Zoning Board of Appeals Appointment Consideration - Richard Stancombe – Mr. Richard Stancombe came forward. He said he has lived in town since 1990. He said he has the time and is committed to the town. Selectman Cyganiewicz thanked him for stepping up. **Selectman Barbaro moved for the applicant; Selectman Cyganiewicz seconded.**

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

Ingleside Utilization Committee Appointment Consideration – Greg Vine – Mr. Greg Vine came forward. He said he has time now. He said he would like to see some new faces come forward. He urged everyone to explore being on a committee. **Selectman Barbaro moved for the applicant; Selectwoman Salter seconded.**

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

Notice of Vacancies on Selectmen Boards and Committees – Chairwoman Anderson read through the current list of vacancies. There are many vacancies on the Cultural Council which meet about three times a year. The Communications Committee is still looking for one vacancy to be filled. The Ingleside Utilization Committee has eight vacancies of a fifteen member committee. Parks and Recreation Committee have two vacancies and the Planning Board has one alternate vacancy. She said if interested to send a letter or email to the Town Manager's office with their interest.

## 5. PERMIT/LICENSE APPLICATIONS:

Voluntary Toll Booth Application for May 6, 2017 – Alternatives Unlimited – Ms. Barbara Soucy came forward. She said the money raised is used to help people with disabilities. Chairwoman Anderson asked if she ever considered having a booth at the Summer Solstice as an alternative way to raise money. Ms. Soucy said she would explore it. Chairwoman Anderson feels sometimes this is an easy way for organizations to raise money but can be problematic with traffic. **Selectwoman LaBrie moved to approve the application for Alternatives Unlimited to hold a Boot Drive on May 6, 2017; Selectman Barbaro seconded.** The hours will be 9:00 a.m. to noon.

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

Junk Dealers - Second Hand Articles License Renewals - Ms. Daigle explained the applicants for renewal below were not requested to be in attendance this evening. All of their renewal paperwork is in order and there were no issues from Department Heads. Selectwoman LaBrie asked about the fee. Ms. Daigle reported the annual fee has been collected from all of them.

- Pattie's Jewelry Inc., 15 Central Street-**Selectman Barbaro moved for the applicant; Selectwoman LaBrie seconded.**

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

- Ed's Scrap Metal, 64 Main Street-**Selectwoman LaBrie moved for the applicant; Selectman Barbaro seconded.**

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

- Daniel Brewer, 900 Lincoln Avenue-**Selectman Barbaro moved for the applicant; Selectman Cyganiewicz seconded.**

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

- 2<sup>nd</sup> Impressions – 2 Juniper Street-**Selectwoman LaBrie moved for the applicant; Selectman Barbaro seconded.**

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

## 6. NEW BUSINESS:

Request from Clean Footprint to Enter into Two Solar Hosting Agreements – John Kluwin from Clean Footprint came forward. Mr. Hickey said the town has granted a host agreement which was signed September 2016. They are requesting tonight for the Board to consider two other host agreements. These are similar to the previous one with two exceptions. There is a difference in the size of the solar fields and they are not in Winchendon. They are in Brookfield Mass. He said it has been reviewed by legal counsel. Mr. Kluwin pointed out that there are actually three and that the other one was located in Westminster. Mr. Kluwin said the state allowed the town of Winchendon ten megawatts. He said it is five times what the town would use. He said the net metering credit will be phased out in 2018 and replaced with a tariff program. Selectman Barbaro asked what it would leave the town with if this is agreed. Mr. Kluwin said you currently use 4.9 now and the other two would use 1.44 megawatts which would leave you 3.5 megawatts. He said Clean Footprint would pay a one-time upfront payment of \$11,613 to the town for the three Host Agreements. Selectman Barbaro moved to enter into a new agreement with Clean Footprint for future solar development sites in Brookfield and Westminster with the town being the host and receiving a one-time payment of \$11,613; **Selectwoman LaBrie seconded.**

Review of Gas, Plumbing and Electrical Permit Fees – The Building Commissioner Mr. Geoff Newton came forward. He said the existing permitting fees for gas, plumbing and electrical work hasn't been changed since 2011. He said he is recommending some modest increases in some of the fees currently charged and is proposing a more detailed list of the fees charged. These fees are compatible with other communities. He said the electrical and plumbing inspectors get paid a yearly stipend. Selectwoman Salter said she thinks they need to justify if the Board is going to incorporate a fee. She said she needs to know how much it will cost. Mr. Hickey said he could get that information to the Board. He said they are trying to recoup some of the costs. **Selectwoman LaBrie moved to accept as a first reading with a request for further information from the Building Inspector and that it be brought back to the Board at a future date when more information is available; Selectman Barbaro seconded.** Selectman Cyganiewicz felt it would take some time and wondered how helpful the information would be since the rates haven't been updated since 2011. **Selectman Barbaro rescinded his second. Selectwoman Salter seconded.**

Selectman Cyganiewicz asked Mr. Newton how long it would take to get the information. Mr. Newton replied that it was busy in his office but to give him a month and a half. Mr. Newton asked the Board to consider breaking the fee pieces for approval advising that things are happening and opportunities will be missed. Mr. Hickey understands where Geoff is going, but sought the board to take into consideration the solar array fees tonight. A matrix can be brought back in four to six weeks. He noted the rate of pay for inspectors is not on the table or on the agenda this evening. If wanting to discuss this further, it could be brought forward to a future meeting. He noted he has not talked with Mr. Newton about it yet. Wage issues are to be addressed separately.

Selectman Barbaro asked to separate out fees numbered 1, 17 and 18 and pass those this evening. Mr. Newton commented he believed it is justifiable. Chairwoman Anderson offered she did not have any concerns with the other rate increases. Selectwoman Salter would like the matter studied to get a handle on fees to see what it cost. We don't want to be a revenue generating business. We need to cover costs. **Selectwoman LaBrie rescinded her motion.**

**Selectman Barbaro moved to accept as presented all three of the fee changes; Selectman Cyganiewicz seconded for discussion.** Chairwoman Anderson said she understands the justification and she requests the Town Manager and the Building Inspector provide the information when it is gathered adding delaying may not be prudent on their part. It was noted a vote tonight could be changed down the road.

Selectman Cyganiewicz asked Mr. Hickey if he would have to modify the budget. Mr. Hickey said he would have to modify estimated revenues. Chairwoman Anderson said this will be effective as of April 11, 2017.

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

Selectwoman LaBrie asked if the number of inspections could be tracked and the Board given an update. Mr. Hickey said Mr. Newton has also asked to look at online permitting. He said Mr. Newton is concerned the town isn't keeping records to his standards.

Discussion on a Proposal for Town to Acquire Street Lights from National Grid –Mr. Hickey said he and Mr. Al Gallant are here tonight to see if the Board wants to acquire the street lights in Winchendon from National Grid. He said National Grid said there is no cost to the town to acquire the street lights. He said there are 535 street lights and the cost is estimated at \$253,905 to retrofit to led lights with a contingency of \$23,082. He said a warrant article would be included on the Spring Town Meeting warrant to seek the community's support. He said this would be paid for with the electrical saving. The impact of the budget in future years is nothing. Mr. Gallant said there is currently 358 lights operating. **Selectman Barbaro moved the Board support Article 18 on the draft Annual Town Meeting warrant the proposed street light conversion; Selectman Cyganiewicz seconded.**

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

Request to Reopen Special/Annual Town Meeting Warrant – Mr. Hickey requested the Board reopen the Special/Annual Town Meeting Warrant to include a PILOT Agreement article that he mistakenly didn't include

on the Town Meeting warrant that closed last Monday. He said he met with Nexamp and they want to bring forward a solar field and enter into a multi-year Payment in Lieu of Taxes (PILOT) agreement with the town. **Selectwoman LaBrie moved the Board reopen the warrant; Selectman Barbaro seconded.**

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

**Selectwoman LaBrie moved the Board accept the warrant article for May 15, 2017 regarding a PILOT agreement with Nexamp; Selectman Barbaro seconded.**

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

**Selectwoman LaBrie moved the board close the warrant for the Special and Annual Town Meeting for May 17, 2017; Selectman Barbaro seconded.**

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

Draft Special and Annual Town Meeting Warrant for May 15, 2017 – Mr. Hickey said the warrant has been reviewed by legal counsel. He said the order of the articles have changed. The capital articles have been moved before the general budget. He explained the reason if the Town gives the authority to lease the vehicles, the first payment is in the operating budget. We would have to amend the budget if not approved. He said there are eighteen articles in the annual town warrant and one in the special town warrant. He reviewed a few of the articles with the Board. Mr. Hickey said he will update the draft STM/ATM warrant and add the article missed and incorporate the minor changes regarding the lease of the vehicles and needing a figure.

Discussion on Budget Adjustments to Town Manager's Proposed FY18 Budget – Mr. Hickey said he modified the water budget to reduce the dollar amount to clean the dead end lines from \$90,000 to \$25,000. He said the Board will vote two weeks from tonight on April 24<sup>th</sup>. He said he made an adjustment to the Transfer Station indirect costs by \$5,174.78 to \$34,989.58. He also said he overlooked an existing \$3,000 stipend provided to the Executive Assistant for her role as a backup to the Network Administrator. He proposed to add a new line item under Highway Expenses titled Roadside Trash Disposal Fee with a budget of \$7,500. He said the overall impact of the proposed budget adjustments would increase the amount available under the tax cap to \$83,240.

Mr. Hickey said he will be working with the Town's unemployment insurance provider to determine what the impact will be on the School Department's possible layoffs. He said we will have to make adjustments at the Fall Town Meeting if needed. He said the Superintendent is aware of the potential impact. He wanted to make the Board aware that the Veteran's Benefits the town received is lower than in the past. He said he spoke with Representative Zlotnik and he said he would find out what the revenue number is. He said he would get the information in the next couple of days.

**7. OLD BUSINESS: N/A**

**8. TOWN MANAGER'S REPORT:** Below is the Town Manager's Report in full including comments made this evening.

**1. Financial Updates-**

- a. MassDOT notified the Town that the FY18 Chapter 90 funds appropriated for Winchendon will be \$443,871, pending legislative approval. FY17 Chapter 90 funds were approved at \$445,566. Mr. Hickey said this is down \$12,000.
- b. I received a response from DOR on the status of my request to recalculate the FY18 Veterans Benefit revenue. The Veterans Agency will check the amount included in the House budget which comes out sometime in the middle of April. If the amount has not been corrected the Veterans Agency will follow up as to why. The Veterans Agency anticipates the anticipated revenue will be corrected.
- c. The Town was notified that due to an increase in Monty Tech's Chapter 70 revenues the Town would receive a credit in the amount of \$7,016 on the FY17 assessment.

**2. Project Updates-**



- a. The Landfill solar project continues to move forward. Onyx expects to complete the project by the middle of May. Since the electrical permit fees have not been updated since 2011 a fee for solar arrays was never discussed and approved. Currently the fee would be \$50. The fee that would have applied to the Transfer Station solar project would be \$50. Mr. Hickey said knowing that fee is significantly less than it should be he asked Onyx if they would be willing to pay a higher fee knowing the fee they would be responsible for is \$50. Onyx informed me that they are willing to pay an electrical fee of \$10,000 which is consistent with what Onyx estimated in their project budget. Onyx's willingness to pay a fair fee is very much appreciated. He said they will be done in a month. They are a great partner for us. He has put them in touch with the Winchendon Redevelopment Authority who will get the same cost of electricity. Onyx wants to help and is considering a donation to the Fall Festival.
- b. Bids were opened for the Walnut Street Road reconstruction project. As a reminder this project is being funded primarily through a CDBG grant with \$90,000 coming from Chapter 90 funds. The apparent low bidder was GEG Construction Inc. from Springfield, MA with a bid of \$325,067.50. Tighe and Bond will be reviewing the bid submission for completeness. The project budget included \$368,000 for the road reconstruction so the apparent low bid is within the estimated budget. Mr. Hickey said the difference can be used for fuel assistance or used for housing rehab.
- c. The Fire Department has been working on implementing the vacant building regulation here in town. Certified copies of the regulation have been sent out to the owners of the properties. We started with vacant properties having the most possibility of loss of life in the event of an incident. These property owners have 14 days to respond and set up an inspection of their properties. Mr. Hickey said the properties that fail will have a big "X" placed on them in the future.

### **3. Miscellaneous Updates –**

- a. Al Gallant attended the preconstruction meeting for the repaving of a portion of Rte. 140 that is scheduled to occur beginning in May. The project scope includes micro milling and resurfacing the road from Teel Road to the intersection of Route 12, approximately 1.1 miles. When the road is restriped after the paving there will be no passing lanes on this section of roadway. The project will take approximately two weeks to complete. Al requested some of the road grindings for other Town roadwork and MassDOT agreed to provide some saving the Town money for material purchases. Selectwoman LaBrie thought the report would be pending approval of the Board. Keith said they haven't determined the changes yet. They have contracted with an engineering firm to study the accidents and recommend changes. He will make sure the Board gets to view the recommendations and they could weigh in. The Town Manager, Dept. of Public Works, the Fire Chief and the Police Chief feel that part of the roadway has caused problems and he assumed the Board's intent was to address that. The Board could opt to have a discussion on this and bring to their meeting on the 24<sup>th</sup>. Selectwoman LaBrie stated she would like to see the plans. Selectman Barbaro commented he would like to see no passing lanes on Rt. 140 at all.
- b. The Police Department is working with the Sherriff's Department to have the graffiti cleaned up at Kamenstein.
- c. Mr. Hickey said he met with staff and the Cumberland Farms project manager and engineer on Wednesday to discuss their redevelopment plans. Mr. Hickey said he told them they would provide any assistance they might need. Cumberland Farms will be closing the store on either April 17<sup>th</sup> or 18<sup>th</sup> to begin their project. Work will continue throughout the summer and anticipate opening just prior to Labor Day. Chairwoman Anderson asked for the closing to be posted.
- d. Mr. Hickey said Donna Spellman, Bill Schlosstein and he met with the heirs of the Morton E. Converse One Hundred Year Fund (Converse Fund), Mr. and Mrs. Barry K. Rogstad regarding the disbursement of funds to a variety of Winchendon organizations from the Converse Fund. The Converse Fund was established in 1917 and is to be distributed in accordance with the trust document. There is a question regarding whether the principal amount to each organization can be expended or not. That will require legal counsel. He said once he receives some legal guidance on the principal balances he

will schedule an item on the Selectmen's agenda. An application will be developed for various committees to apply and the Board can decide what to grant it to.

Selectman Barbaro mentioned that Kinder Morgan is going to pop back up with this new administration and warned this might come back. He noted EPA has been approving everything.

**9. MINUTES:**

Monday, March 13, 2017 - Regular Meeting – Selectman Barbaro moved to approve; Selectwoman LaBrie seconded.

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

Monday, March 13, 2017 - EXECUTIVE SESSION – Selectwoman LaBrie moved to approve only; Selectman Barbaro seconded. Roll call vote

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

Selectwoman LaBrie moved to release the Executive Session minutes of March 13, 2017 as redacted; Selectman Barbaro seconded. Roll call vote

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

Monday, March 20, 2017 - Regular and Joint Meeting with Finance Committee – Selectwoman LaBrie moved to approve; Selectman Barbaro seconded.

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

**10. COMMUNICATIONS:** None at this time.

**11. AGENDA ITEMS:** Chairwoman Anderson said a Tri-Board meeting will be held tomorrow at 6:30 p.m. here at Town Hall. She said the Joint Meeting with the Board of Selectmen and the Finance Committee will be on April 24<sup>th</sup>.

**12. ADJOURNMENT:** Selectman Barbaro moved to adjourn; Selectman Cyganiewicz seconded.

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

**13. EXECUTIVE SESSION:** There is no executive session being held this evening.

The meeting was adjourned at 9:06pm

Respectfully submitted;



Debra A. Dennis

Recording Secretary