

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MEETING MINUTES  
MONDAY, November 5, 2018  
Town Hall, 2<sup>nd</sup> Floor Auditorium  
109 Front Street, Winchendon, Mass.**

Present:

Audrey LaBrie, Chairwoman  
Austin Cyganiewicz, Vice Chair  
Barbara Anderson  
Michael Barbaro

Keith R. Hickey, Town Manager  
Lindsay Kuchta, Recording Secretary

Absent:

Linda Daigle, Executive Assistant

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List of Documents Presented at Meeting:

- Penny Maliska Email of Resignation from Recreation Commission (filed)
- David Connor Letter of Resignation from Board of Registrars (filed)
- Board of Selectmen Boards and Committees Notice of Vacancies Dated November 5, 2018 (filed)
- Pole Petition Notice Dated October 16, 2018 Re: Baldwinville Road (filed)
- Little Anthony's Application for sale of Christmas Trees at 678 Spring Street (filed)
- Clark YMCA Letter of Request for Additional Funding from the Converse Fund Dated September 6, 2018 (filed)
  - Quote of Tractor from Padula Brothers (filed)
- Town Manager Goals and Objectives FY18 (filed)
- MEMO from Keith Hickey Dated October 31, 2018 Re: Demolition of Building at 283 Lincoln Ave. Extension (filed)
  - Images of Dilapidated Building and Catwalk at 283 Lincoln Ave. Extension (filed)
  - Verified Complaint Dated November 1, 2018 Re: Town of Winchendon, by and Through its Building Commissioner vs. John A. Jameson as Trustee of JKJ Realty Trust, Patricia A. Jameson, Estate of Dennis A. Girard, and Michael Holmes (filed)
- Town Manager's Report (attached)
- Minutes approved:
  - Monday, October 29, 2018 Regular Meeting

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*LaBrie called the meeting to order at 6:30 P.M. followed by the Pledge of Allegiance to the Flag of the United States of America.*

No one announced that they were audio recording the meeting tonight.

**1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:**

Barbaro noted that polls open at 7:00AM tomorrow, and expects all who can make it to please go out and vote.

Anderson thanked all who came to the Town Meeting Monday for their participation and allowing the Town to conduct their business. She reiterated Barbaro's point, encouraging all to come out and vote if they haven't already early voted and also noted Veteran's Day is coming up this weekend; a service will be held at the Veteran's Cemetery Sunday morning.

Cyganiewicz also encouraged all to vote tomorrow and thanked the Clerk's office for staffing officers for early voting, even though it is a State requirement; many people have already taken advantage of early voting and he is hopeful that many others vote on election day.

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

**3. APPOINTMENTS/RESIGNATIONS:**

- 3.1. Recreation Committee Resignation – Penny Maliska- *Barbaro moved for the resignation of Penny Maliska from the Recreation Commission, seconded by Anderson.*

Anderson thanked Ms. Maliska for her time served.

*With a vote of all ayes the motion carried.*

- 3.2. Board of Registrars Resignation – David Connor- *Barbaro moved for the resignation of David Connor from the Board of Registrars, seconded by Anderson.*

LaBrie thanked Mr. Connor for all he does on behalf of the Town, noting it is greatly appreciated.

*By a vote of all ayes the motion carried.*

- 3.3. Board of Selectmen Board and Committee Vacancies- LaBrie read the notice of vacancies and noted any interested individuals could apply to be a member on the website or send a letter of interest to the Town Manager's office.

*The Board took agenda item 5.1 Christmas Tree Permit- Little Anthony's 678 Spring Street, out of order.*

**5. PERMIT/LICENSE APPLICATIONS:**

- 5.1 Christmas Tree Permit – Little Anthony's, 678 Spring St. - Marla LaGrassa came forward to represent her request to sell Christmas trees. LaBrie asked her how long she has been selling the trees to which Ms. LaGrassa replied for twenty-one or twenty-two years.

Anderson asked what hours they would be open for business to which Ms. LaGrassa replied Saturday through Sunday 10:00AM to 8:30PM and Monday through Friday 4:00PM to 8:30PM, starting the day after Thanksgiving.

*Barbaro moved for the applicant seconded by Cyganiewicz with a vote of all ayes.*

*Barbaro moved to take minutes out of order seconded by Cyganiewicz with a vote of all ayes.*

**10. MINUTES:**

- 10.1 Monday, October 29, 2018 - Regular Meeting- *Barbaro moved to accept the minutes of Monday, October 29, 2018 as presented, seconded by Anderson with a vote of all ayes.*

**4. PUBLIC HEARINGS:**

- 4.1. Pole Petition No. 27137767 – Baldwinville Road- Cyganiewicz read the Pole Petition notice.

*Barbaro moved to open the public hearing, seconded by Anderson with a vote of all ayes.*

Jay Lucier of National Grid came forward to answer any questions that may be had by the Board or public. LaBrie asked if the project was for a new resident and new usage to which Mr. Lucier replied yes. LaBrie then asked if any abutters were present or if anyone wished to speak on the matter. No one replied.

*Barbaro moved to close the public hearing, seconded by Cyganiewicz with a vote of all ayes.*

*Barbaro moved for the applicant, seconded by Anderson with a vote of all ayes.*

**5. BOARDS/COMMISSIONS/COMMITTEES/DEPARTMENTS:** There were none this evening.

**6. NEW BUSINESS:**

- 6.1. Clark YMCA Request for Additional Funding from the Converse Fund- David Connor, Trustee of the Wendell P. Clark Memorial YMCA and Mike Quinn, Executive Director of the Wendell P. Clark Memorial YMCA came forward to represent the request for \$7,750 to help purchase a tractor to maintain the grounds of the Clark Memorial YMCA. Mr. Quinn noted that as requested by the Board at a previous meeting, they have done their due diligence to appropriate funds from sources outside of the \$10,000 granted by the Selectmen from the Converse Fund. They have since secured \$30,000 and still need \$7,750 to reach the amount needed to purchase the tractor in the amount of \$47,750.

Barbaro asked if a representative of the Converse Fund was present; Mr. Gould stepped forward.

Anderson noted that she remembers the Clark Memorial representatives coming before the Board previously; she is satisfied as they have done their due diligence.

Mr. Gould noted he is the overseer of the Converse Fund, and finds it interesting that the Clark is coming back for their second request from the fund. After speaking with the heirs, Mr. Gould was made aware that they were unhappy with



granting the money to the Clark in the first place as it is not owned by the Town, and the funds are specifically meant to be used for the Town and Town owned entities.

After further discussion between the Board, Mr. Connor and Mr. Quinn, LaBrie noted that due to Robert's Rule of Order and the circumstances of the Board as it sits, the Chair of the Board was able to partake in discussion and make motions.

*LaBrie moved to deny the request as presented before us, seconded by Barbaro. By a vote of Cyganiewicz no, Anderson no, Barbaro aye and LaBrie aye the motion died.*

*Anderson moved to approve the request of \$7,750 for the Clark Memorial from the Converse Fund, seconded by Cyganiewicz.*

Cyganiewicz stated that the Board previously asked the Clark to do their due diligence and seek for funding elsewhere before returning to the Board requesting additional funds. It would be hypocritical for the Board to not approve the funding after the Clark has done as we have asked of them. The Clark provides services to the Public and Town of Winchendon, as well as maintains their field in the winter to ensure a safe landing spot for life flights. Cyganiewicz said he hates to play politics over \$7,000; let's get this done and get them their tractor so they can continue to provide services to the Town as they have been.

*By a vote of Cyganiewicz aye, Anderson aye, LaBrie no, and Barbaro no, the motion died.*

No action was taken on the item this evening.

*Barbaro moved that the Board take the discussion of the demolition of the dilapidated building at 283 Lincoln Avenue Extension out of order, seconded by Anderson with a vote of all ayes.*

## **7. OLD BUSINESS:**

- 7.1. Discussion on Town of Winchendon's Role in the Demolition of a Dilapidated Building at 283 Lincoln Ave. Extension- Town of Winchendon Building Commissioner Geoff Newton came forward and stated that after walking the site of 283 Lincoln Avenue Extension, he has determined the catwalk that connects two buildings on either side of the street is sturdy for the time being, supported by chestnut beams in each corner; though there is water getting into the building the beams are supportive enough, with only a slight risk of it collapsing. The main concern is the building that is falling into the street at this point, is merely being blocked off by cones. The property manager of said building, Mike Holmes, has spent much time with Mr. Newton; though he has not moved quickly enough to satisfy the safety concerns at hand. When this matter was brought up to the Board at their last meeting, a concern was noted regarding potential asbestos that may be on site. Additionally Mr. Newton stated that the State has allowed the Town, if they receive approval from the court, to go on site and demolish the building to work under minimal procurement requirements as it is an emergency. Quotes will need to be received from three different contractors for the service; the Town will only hire a contractor experienced in demolition of buildings contaminated with asbestos. The courts have not issued their approval yet as serving the property owners has proven to be difficult; Mr. Holmes will not disclose the owner's information, only stating that they are located in Puerto Rico.

Donna Fortin of Brown Court came forward stating that the property being discussed is an issue for all in her neighborhood. It is dangerous for the children and unfair as other members of the neighborhood keep their yards clean. It has been an issue for well over six years at this time. Ms. Fortin also stated there is an issue with rats infesting the neighborhood, and there is a lot of clutter on the property Mr. Holmes is managing. She feels that tearing the building down and leaving the rubble is not much better than leaving the building as is. She would like to get the State involved if necessary, and feels that perhaps they could help speed the process up.

Barbaro told Ms. Fortin he hears and empathizes with her concerns. The Town is proposing to demolish and fence off the property which will make it safer than it is now. Unfortunately, the Town is unable to address the rat issue. Barbaro asked if the pile of rubble could be covered by a tarp, to which Mr. Newton replied at this point any pollutants that may be in that building have already been blown in the wind and covering the pile will not make a difference at this point. While demolishing the building, if approved, it will be sprayed down with water to ensure that during the process no excess toxins are released into the air during the process.

Kenny Hastings of 5 Brown Court came forward and stated the buildings are a problem; they are causing a rat infestation in the neighborhood. He would like to see something done.

Cyganiewicz again explained that as it is a private property, the Town has to wait for approval from the Court to move any further with the process. Additionally, the Town can only do so much considering the funding that would be necessary.

Hickey stated that last week the Court did not give the Town their order to demolish the building, causing the Town to wait until the next court date to be held on November 15<sup>th</sup>. Hickey also said he would be happy to get a list of email addresses from the concerned neighbors of the property being discussed, and noted it is a process that will take some time. The Town is dealing with uncooperative property owners and are doing the best they can to address the issue as quickly as possible, and noted the Town would see if the Court would allow for pest control action to be taken as well.

Todd Richards of Brown Court came forward and noted he just moved to the area. He is concerned about the safety of the children in the neighborhood with the buildings being as unsound as they are.

Sue Newton of Brown Court then came forward and asked if there is any way the residents can help with the case in court with pictures or comments they may have as abutters to the property.

Hickey said he and Mr. Newton will speak with Legal Counsel and get their perspective on the potential of residents being witnesses for the case. When he gets an answer he will reach out to those who wish to hear back and reiterated that the Town is trying to deal with the case as quickly as possible.

LaBrie thanked all for coming forward and encouraged them to contact the Town Manager's office with anything further regarding the matter.

- 7.2 Establish 2019 Town Manager Goals- The Board reviewed the current Town Manager Goals and Objectives, removing two items that have already been completed; "continue to pay down deficit borrowing" and "restoring of street lights." LaBrie requested that the Board members to review and make note of any changes or additions they wish to be made; the Town Manager's Goals and Objectives will be to be discussed at the next meeting.

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

1. Financial Updates-

- a. The Town held an auction to sell tax titled properties on October 29<sup>th</sup>. Thirty two properties were offered at the auction, thirteen properties were sold. A total of \$70,100 was realized from the sale of the thirteen properties.

2. Personnel Updates-

- a. There are no personnel updates this week.

3. Project Updates-

- a. The architect for the sally port has been notified of the most recent Town Meeting funding approval. Contract documents will be drafted and circulated for signature in the near future. The Contractor anticipates beginning the sally port construction in March 2019, depending on weather.
- b. All paving for 2018 has been completed for this calendar year. Vine Street and Robbins Road were paved during the week of October 29<sup>th</sup>.

4. Miscellaneous Updates –

- a. Winchendon received an additional \$140,000 for repairs to the Whitney Pond Dam. The Town had previously received \$400,000 in June for the same purpose. Public Works is developing a plan to use the available funds to improve the overall condition of the dam.
- b. Tracy Murphy and I met with representatives from MassDevelopment to review and discuss programs that would meet the needs of Winchendon property owners interested in developing or redeveloping their property. MassDevelopment will be in contact with Tracy to discuss opportunities as they become available.

Hickey added a meeting will be had with MassDevelopment to discuss the RHI Building on the corner of Railroad and Central Street to see what can occur there.

- c. The privately owned landfill solar array was energized on Friday October 12<sup>th</sup>.

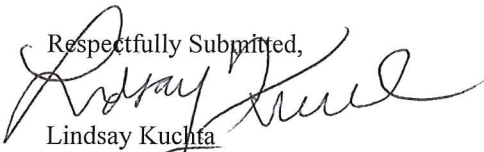


Hickey noted there are refunds coming to the Town for solar expenses and the conversion of streetlights. The Town will see some changes and credits in the Expenditure Report in the upcoming months.

Hickey also noted granite posts and chains will be installed sometime this week or next in the park sponsored by the Grout family on the corner of Glenallen Street. Additionally, all of the Town's tax forms with the Commonwealth have been completed; Hickey is hopeful we will have our tax rate in a couple of weeks. He also noted he understands the concerns of residents regarding 283 Lincoln Avenue Extension and stated the Town is doing the best they can to address the matter.

Hickey reminded the Board it is time to schedule another Tri-Board meeting, the last one was held in August. The main topic of discussion would be regarding the Audit Report the Town is due to receive this coming Thursday evening.

11. **COMMUNICATIONS:** The next Board meeting will be held on November 19<sup>th</sup>. Hickey noted he would like to schedule the Tri-Board meeting for some time in November or early December.
12. **AGENDA ITEMS:**
13. **EXECUTIVE SESSION:** There was no Executive Session held this evening.
14. **ADJOURNMENT:** *Barbaro moved to adjourn, seconded by Cyganiewicz. With a vote of all ayes the meeting adjourned at 8:22PM.*

Respectfully Submitted,  
  
Lindsay Kuchta  
Recording Secretary

