

# Report of the Town Manager

## December 29, 2014

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1. **Personnel Updates-**

- a. None.

**Action Requested:** None.

2. **Financial Updates-**

- a. **The Deficit Legislation-** The deficit legislation has passed the Senate and I am advised by Representative Zlotnik that it is currently in the House for vote. I will advise as I come to know more.

**Action Requested:** None.

- b. **The FY16 Budget Memo-** All departments received their FY16 budget memo last week with all departmental budgets and financial article requests due back by January 22, 2015. I have spent time with Finance Committee Chairman Tom Kane and have been discussing ways in which the Finance Committee can play a greater role in the annual budget process for FY16 and years thereafter. After some additional discussion with Chairman Kane, I expect to have the annual budget calendar for your review, consideration and approval at your next meeting.

**Action Requested:** None.

3. **Project Updates-**

- a. **Phase 5 North Central Pathway-** Phase 5 of the Bike path project bids were opened and six bids were received. Of the six, three were bunched closely together and within the budget estimate. The three others were quite higher. The engineers are vetting the bidders and we expect an award to be made within the next two weeks. It has yet to be determined if the contract work will begin this winter or will wait until spring. I will update you as I come to know more.

**Action Requested:** None.

- b. **Cumberland Farms Project-** As per your request at your last meeting, I am enclosing a copy of the Sturbridge MA Cumberland Farms project plan as well as the preliminary Winchendon site plan for the Cumberland Farms project.

**Action Requested:** None.

c. **Proposed Business-**

- i. Salvatore Auto group's proposed Jeep dealership project at the intersection of Rt. 140 and Rt. 12 is scheduled to be before the Planning Board next week. It will be an exceptional gateway business and create new tax base and jobs for the town.
- ii. While we recognize that nothing is real until it is real, we have been working with a business, which wishes to remain confidential for now, in an effort at landing them here in town as they seek to expand from another location within the region. They are currently functioning in a 10,000sf space and are looking for a minimum of 30,000sf. Their projection is 20 jobs.

**Action Requested:** None.

- d. **Police Station Filed Sub-Bids-** The engineers and architects are revisiting the specifications and plans to introduce some additional value engineering. I am expecting a group meeting before your next meeting at which time Selectman O'Keefe and I should have a better update for you.

**Action Requested:** None.

4. **Miscellaneous Updates-**

- a. **Class 2 Policy-** As per your direction at your last meeting, I am attaching a DRAFT of a Class 2 license policy. The discussion at the last meeting left it to me to draft a policy for your review and consideration regarding the need to better regulate class 2 establishments. Such a draft is enclosed. The implementation of such a policy was also discussed. There was general agreement that the imposition of such a policy immediately would be too unfair and there was some consensus around a July 1, compliance date with an opportunity for a licensee to appeal to the Board for cause if that deadline couldn't be met.

**Action Requested:** Let's discuss at your pleasure.

5. **Tickler File-**

- a. **Yard Sale Bylaw-** You have copies of several versions of yard sale bylaws for your review and consideration for a proposed bylaw for the annual town meeting.

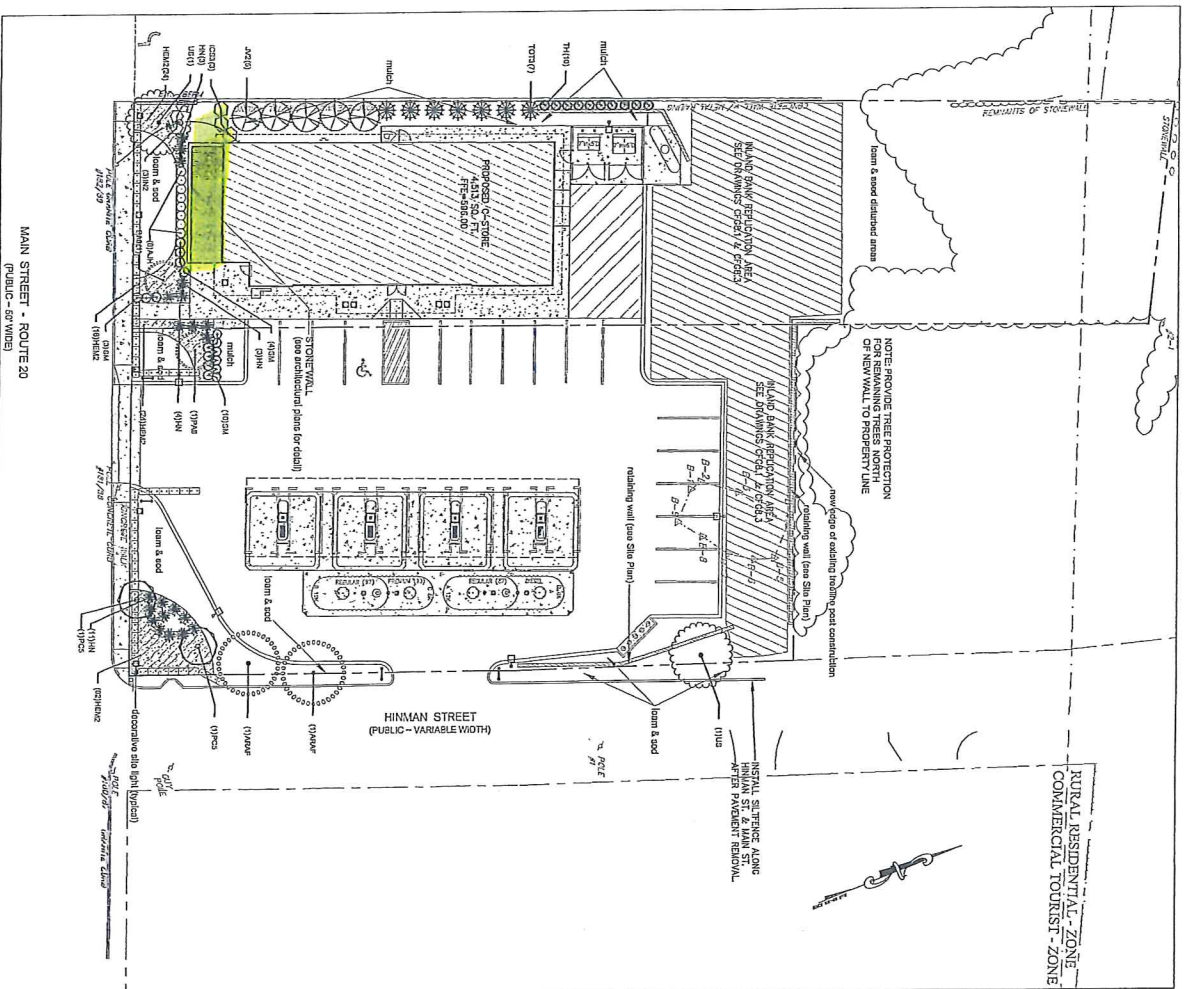
- **Action Requested:** Let's discuss at your pleasure.

- b. **Multifamily Residential Unit Inspections-** I have been working with Counsel to have a draft bylaw available for your consideration for the annual town meeting. This bylaw will seek to place a local penalty on the books for multi-family residential property owners who fail to have their properties inspected.

- **Action Requested:** Let's discuss at your pleasure.















## PLANT SCHEDULE

[illegible]

DIANE C.  
SOULE & ASSOCIATES, ASLA  
LANDSCAPE ARCHITECTURE • GRAPHICS DESIGN  
Seattle/Ed, Rhode Island 401.231.0726 e-mail: diane@dcslaw.com

STARBURD

| PLANT SCHEDULE  |      |     |                               |
|---|------|-----|-------------------------------|
| TREES   | CODE | QTY | COMMON NAME                   |
|  | US   | 2   | Phoenix Elm / Lib             |
| DECIDUOUS TREES   | CODE | QTY | COMMON NAME                   |
|  | ARAF | 2   | Australian Pines / Ma         |
| EVERGREEN TREES   | CODE | QTY | COMMON NAME                   |
|  | J/2  | 5   | Eastern Red Cedar<br>Native B |
|  | TH   | 10  | Hill's Oak Clem ,             |
|  | TOTS | 7   | Tecoma Ascend                 |
| FLOWERING TREES   | CODE | QTY | COMMON NAME                   |
|  | PCS  | 2   | Cassoway Sargol               |
|  | P/40 | 2   | Australian Pines              |
| SHRUBS  | CODE | QTY | COMMON NAME                   |
|  | A/H  | 8   | Azalea / Azalea x             |
|  | HN   | 21  | Nikko Blue Hydr               |
|  | ICSD | 3   | Shade Japanese                |
|  | IN2  | 3   | North Indeberry / I           |
| GROUND COVERS   | CODE | QTY | COMMON NAME                   |
|  | SM   | 17  | Mistle Dawn Spn               |
| PERENNIALS  | CODE | QTY | COMMON NAME                   |
|  | JN   | 42  | Dwarf Jaspden ,               |
|  | HE/2 | 120 | Stella de Oro Day             |

[illegible]



**TOWN OF WINCHENDON**  
**LOCAL POLICY RE: CLASS TWO LICENSES**

In an effort at defining the rights and responsibilities of Class 2 license holders in the town of Winchendon pursuant to MGL C.140 s. 58c, the local licensing Authority, has developed the following policy.

- A. This policy is intended to provide a detailed local framework for the conduct of secondhand and used car sales and is further intended to codify the appropriate use of and allowance for such licensees to have non-saleable or part vehicles on premises as a part of the conduct of business under the Class 2 license.
- B. Nothing in this policy should be read or construed to allow a Class 2 licensee to conduct operations otherwise reserved for Class 3 licenses (junkyard, open air salvage, sale of second hand motor vehicle parts, etc.)
- C. Effective [REDACTED], applicants for a Class 2 license, whose principal business is to sell used or second hand automobiles, in addition to any and all requirements under said statute and as a condition of receiving said Class 2 license, shall further comply with the following local requirements:
  - a. There shall be two distinct areas on each licensed premises and these areas must be shown on a detailed sketch to be provided as a part of the application materials-
    - i. Sales Area- the area, usually at the front of the premises and generally visible to the travel way, where complete and saleable cars will be kept and displayed, and
    - ii. Part Vehicle Area-the area, usually in the rear of the premises and not visible from the travel way, where part vehicles are allowed to be kept. The part vehicles must be used for the repair or rebuild of on premises saleable vehicles. The part vehicle area of the premises shall have complete visual screening from the travel way as deemed appropriate on a case by case basis by the licensing authority (i.e. chain-link fence with privacy slats, stockade fence or a vegetative buffer). Applicants aggrieved by the licensing authority's decision re: screening may appeal to the licensing authority who may reconsider for cause.
      - 1. No Class 2 license holder shall be allowed a number of part vehicles on site more than the **greater of** either two times:
        - a. The total number of cars allowed to be sold at the licensed premises (ex. License allows 10 cars to be sold therefore there can be no more than 20 parts cars on premises in the screened parts area), or
        - b. The total number of cars sold in the prior calendar year (ex. Licensee sold 12 cars in the prior year therefore there can be no more than 24 part vehicles on premises in the screened parts vehicle area.
- D. As a condition of the granting of a Class 2 license, the Board of Selectmen, as licensing authority for Class 2 licenses, reserves the right to have it or its agent make site visit inspections prior to the granting of a license and for periodic compliance re-inspections during the course of the license year.
- E. Any issues of non-compliance, after a properly posted and publicly held hearing before the licensing authority, shall be grounds for consideration of sanctions up to and including the possible revocation of any Class 2 license.

