

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, NOVEMBER 25, 2013 7:00 P.M.
Town Hall, 109 Front Street, Winchendon
2nd Floor Auditorium**

Present: Robert M. O’Keefe, Chairman
Elizabeth R. Hunt, Vice-Chairwoman
Fedor Berndt
C. Jackson Blair
Keith Barrows (7:11 p.m.)

James M. Kreidler, Jr., Town Manager (7:20 p.m.)
Linda A. Daigle, Executive Assistant

List of Documents Presented at Meeting:

- Notices: Annual Christmas Tree Lighting and Winchendon Historical Society’s Holiday Tour of Homes (filed)
 - Proclamation – Charlotte Gallant (filed)
 - Selectman Blair’s Remarks and Questions dated regarding Winchendon Police Officer accused of stealing funds from the Police Association (attached)
 - Ray Rader letter of interest to serve on the Zoning Board of Appeals or the Conservation Commission (filed)
 - BOS Boards/Committee’s List of Vacancies (filed)
 - Permit/License Applications: (filed)
 - Christmas Trees – Byron Beaugard, 80 Old Center
 - Christmas Trees – Little Anthony’s Seafood Emporium, 678 Spring St.
 - Common Victualler – Karen’s Pub, 102 Front St.
 - Change of Manager – C & S Pizza, 188 Central St.
 - BOS Permit/License Fees (attached)
 - 2014 License Renewals
 - List of renewals sorted by business name and a second one by License type (attached)
 - Planning Board Chairman’s letter to Selectboard commenting on list of renewals (attached)
 - Town Manager’s Report (attached)
 - Dept. of Public works quarterly report Nov. 13, 2013 (attached)
 - Employee Contract/Benefits Grid (attached)
 - Police Station Building Purchase:
 - Minutes for approval:
 - Monday, October 28, 2013 Regular Meeting (passed over)
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Chairman O’Keefe called the meeting to order at 7:05 p.m. with the Pledge of Allegiance to the Flag of the United States of America. The meeting aired live on local cable access channel 8.

Disclosure of Audio/Video Recording: No one announced they would be audio recording the meeting this evening when asked by the Chairman.

PUBLIC COMMENTS AND ANNOUNCEMENTS: There were none.

SELECTMEN’S COMMENTS:

O'Keefe announced the Town of Winchendon's Annual Christmas Tree Lighting would take place on Sat., December 7 at 4:00 p.m. in the Veteran's Park across from Town Hall and the Historical Society's Holiday Tour of Homes would be held on Dec. 14 from 12:00 p.m. – 6:00 p.m.

Winter Parking Ban – December 1, 2013 – April 15, 2014 - There is no overnight parking on Town roads during this time period. The fine was believed to be \$50.00.

PROCLAMATION: Hunt read the proposed proclamation for Charlotte Gallant, our retired Town Accountant, adding that she had done a heck of a job and wishes her the best. Blair seconded the proclamation naming November 30, 2013, Charlotte Gallant Day." By a vote of all aye, the motion carried unanimously. Unfortunately Charlotte was not able to attend the meeting this evening

Blair remarked about the recent news stories regarding former Winchendon Police Officer and the accusation he stole funds from the Winchendon Police Association. He stated there has been a lot of disinformation being received by Winchendon residents and it is confusing. He assured the Board his remarks will not stray into territory more appropriate for Executive Session but rather will deal with information currently printed in newspapers or verbalized on television news reports, much of it actually being put forth by the former Winchendon Police Officer. He informed the Board he has spoken to the Town Manager and was advised he could ask him those questions and that he would reply as appropriate to share. He stated he was speaking for himself this evening.

With the Town Manager being absent due to illness, Blair read his prepared questions.

O'Keefe answered the second question regarding if anyone in authority ever authorized or permitted the Winchendon Police Association to use the Town name for the purposes of fundraising saying the Town would not and is not required to. Any business could open up and use "Winchendon" in its name. However, the seal of the Town cannot be used without the approval of this Board.

The Town Manager joined the meeting at 7:20 p.m. Blair repeated his questions to the Town Manager.

- 1) Can you tell us if the Winchendon Police Association is authorized or supported in any legal way, or associated in any legal way with the Board of Selectmen or the Town of Winchendon?

Kreidler replied, "Directly no, there is no official sanction by the Town."

- 2) This question was answered above by Chairman O'Keefe.
- 3) Did the Town ever authorize the Officer to borrow (the Officer chose the word "borrow" rather than "steal") any money and if indeed would they have had the authority to make such an authorization?

Kreidler replied, "No sir."

- 4) Could he comment on whether the police, under his authority, ever made such an authorization?

Kreidler replied, "Not to his knowledge. In fact, the Police Association has made it clear there has been no such authorization."

- 5) The former Officer has stated something along the lines of, "I resigned because I was led to believe this would all then go away." Blair believed he never made such a deal and asked if the Town Manager could set the record straight tonight that he did not.

Kreidler replied, "No deal was offered nor could one have been offered because the Town was not the victim."

- 6) The former Officer commented he stole to provide food for his children and heat for his home. In your experience as a town administrator, can you confirm that the pay scales for Winchendon policemen are fair and competitive?

Kreidler replied, "Against the universe of comparable communities based on socio economics, looking at Athol, Orange and Templeton, we are within, I think the number was around 2 ½ percent of the average."

- 7) Blair asked then that it would be reasonable to assume, that a Policeman, working for the Town of Winchendon, had to steal to feed his family and heat his house, it would have something to do with his personal management of his money and not the pay scales that we pay?"

Kreidler replied, "I can't speak to that."

- 8) In Selectman Blair's experience the Winchendon Police have been a hard working upstanding group of men and women and it is his understanding that the Selectboard, nor the Town Manager, nor the individuals working as Police for our Town, other than the former officer, had any knowledge of this borrowing activity. He asked if the Town Manager concurred with this statement.

Kreidler replied, "Not to his knowledge, no they did not."

- 9) So when a citizen receives a telephone call requesting a donation to The Winchendon Police Association, they need to realize said association has no association with the Town of Winchendon other than to have a membership of local police officers and that the Town neither receives nor distributes these monies nor audits these accounts

Kreidler replied, "No Sir, it never hits our books at all.

- 10) To your knowledge, does the Winchendon Police Association operate under a 501c3 organization?

Kreidler replied, "To his knowledge, it is not."

Does that mean that citizens that donate that might take a tax deduction on their own taxes might have a problem?

Kreidler replied, "One would assume if you've taken a tax deduction from something that is not charitable, yes you might."

Blair explained why he asked all these questions. He has watched two television reports and read three newspapers accounts where all these suggestions were made in needing to feed children, needing to heat a house, getting a deal with the Town Manager and he finds these all fallacious. On December 4th all these matters will be addressed and we will have final answers. He didn't want them to be left uncommented on because it reflects badly on the Town, on fellow Police Officers and on the Board. Residents need to know if they are making charitable donations to make sure they get a receipt that it is tax deductible.

Kreidler commented that he too has read and viewed the accounts he is talking about and a question posed to him is why this officer hasn't been fired. What he can say is what was presented to him was an allegation against an employee that was private in nature. It gets murky and as there is this duality between the group of officers and the Police Dept. and the Association. At the time it was presented, he only had allegations. He had no information from the association that they would be officially filing charges. They met in a meeting with the Officer and he resigned. With an allegation, he would have no jurisdiction to terminate. Blair thought the Town Manager acted properly.

Last point the Town Manager made was once this was clear to him from the Police Chief, our Police Dept. disengaged from all efforts in investigating and a call was made to the District Attorney's office. Usually a department would take care of one of their own, or the department could have been more critical. The Police Department was commended for handling it properly.

APPOINTMENTS/RESIGNATIONS:

Zoning Board of Appeals Appointment Consideration - Ray Rader – O'Keefe announced the Board had received a letter from Mr. Radar with his interest to serve on either the ZBA or the Conservation Committee. The ZBA has an opening for an alternate member. The Committee has responded favorably for Mr. Radar to become an alternate member. Blair moved to approve; Barrows seconded. By vote of all aye, the motion carried unanimously and Mr. Rader was welcomed back.

November Vacancies – O'Keefe announced the current vacancies on the Selectmen's Boards and Committees.

BOARDS/COMMITTEES/COMMISSIONS:

PERMIT/LICENSE APPLICATIONS, HEARINGS:

Christmas Tree Permit - Byron Beauregard, 80 Old Center – Mr. Beauregard came forward on his application with this being his second year. Blair moved to approve permit; Berndt seconded. He will be bringing in Balsam Fir trees. By a vote of all aye, the motion carried unanimously.

Christmas Tree Permit – Little Anthony's Seafood Emporium, 678 Spring St. – Tony and Marla Lagrassa were present on their annual application. Blair moved approval; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Common Victualler - Karen's Pub, 102 Front St., Karen Martin of Worcester stepped forward on her application. O'Keefe noted the location is the former Santinos' Restaurant on Front St. Dept. Head responses were reviewed with issues still needing to be resolved. Karen stated she is planning to be more like a pub, serving alcohol and appetizers utilizing both floors. It was asked that Karen be provided with a check-off list of the steps she needs to take to receive all the licenses she needs. O'Keefe mentioned all of the requirements noted from Dept. Heads would need to be met before she could open. The issue of the Common Victualler license from this Board is just one of the steps. He commended each of the Departments for supplying them with the information on what is needed. Blair was happy to see her go into this location and moved for approval of the Common Victualler's license. Hunt seconded. O'Keefe asked if the motion could be amended to include an expiration date of December 31, 2014. Blair so moved the amended motion and Hunt seconded. By a vote of all aye, the amended motion carried unanimously.

Change of Manager Beer and Wine Restaurant License – C & S Pizza 188 Central St. New Proposed Manager – Kostantinos Kaliviotis – O'Keefe mentioned this is not a new permit just a Change of Manager. There were no issues noted on the Dept. Head responses. Blair moved approval of Change of Manager; Hunt seconded. By a vote of all aye, the motion carried unanimously. O'Keefe reminded them they had the Selectboard's approval but it would be sent to the ABCC for their approval which could take up to thirty days.

Class II - Mark Tansey, Mark's Auto Repair, 49 Spring St. – O'Keefe mentioned this Class II license doesn't exist because it was never issued. It was approved but never issued because he never met the requirements needed therefore it's not on the renewal list. Discussion then took place on ensuring that Mr. Tansey is not conducting activity under a Class II license without a permit. Berndt moved to authorize the Town Manager to work with local enforcement authorities to issue the appropriate action to rectify issues; Barrows seconded. By a vote of all aye, the motion carried unanimously.

BOS Permit/License Fee Review – O'Keefe brought forward to see what we can do to make Winchendon more business friendly. There are a lot of fees/permits to open up something. He suggested a first time applicant's fees be reduced to \$5.00 each year and on the second year the full fee would be paid. He asked his fellow Board

members their thoughts if this would be encouraging businesses or is he foolish by reducing fees that don't promote new business and we are just reducing fees for the Town. Kreidler offered that the fees shouldn't break a business and that adding up all those reduced fees could affect the revenue stream for the Town. Discussion was had on fees for multiple licenses with the example of a Common Victualler, Juke Boxes, Live Entertainment, Pool Table, Liquor License etc. with possibly creating a package for new businesses with multiple licenses. Kreidler offered a model of how user fees are done at the School with paying the full fee for one child and a reduction in fees with additional family members. It could be structured on that idea. The discussion concluded with it being agreed that Chairman O'Keefe and the Town Manager would work together and come up with a compromised proposal in January.

2014 LICENSE RENEWALS – List for Review

The Executive Assistant explained the list of 2014 renewals in their packets with one list being alphabetical by businesses and the other by type of license (category). She informed the Board that they would not be voting on the license renewals this evening but that she was providing them the list for their awareness of what will be acted on at their next meeting. She explained the businesses listing Junk Dealer: Second Hand Articles and the seasonal Liquor Licenses were crossed out on the documents due to them not renewing until May and therefore will not be acted on by the Board until then. Lucky Dragon is highlighted in red on the document due to their pending application with the ABCC with the changes to their license. We go through with their renewal as it currently is while waiting for the decision from the ABCC. Mark's Auto Repair is in red and crossed out because his license was never issued due to his requirement to go to the Planning Board. Hunt asked about Juke Box and Sunday license issues in their "Read Me" file. Daigle explained that the Sunday Entertainment license is very old and outdated and doesn't make sense anymore. She contacted the State department regarding this issue last year during renewal time and was advised by the woman in the office handling Sunday licenses that some Towns get them and some don't. She stated she was the one that would be enforcing the license and she basically said she would not be concerned. O'Keefe stated he also researched the Blue Laws and this type of license and found that there are amazing differences in communities. He stated Boston doesn't issue Sunday licenses but issues full 7-day week-long licenses. Springfield charges \$600 a year for a Sunday license. The application is different everywhere. He suggested to protect our businesses we change our regular Entertainment Permit and call it a Seven-Day Entertainment Permit. After a brief discussion, Berndt moved to eliminate Sunday Entertainment licenses of any type and making the other Entertainment license a week-long license; Blair seconded. Barrows commented that this Sunday license was prior to us having a more comprehensive Live Entertainment license and feels the Sunday license is overkill. By a vote of all aye, the motion carried unanimously.

Fedor wanted to comment before moving from license renewals on serious questions being raised by Planning Board Chairman, John White. He read Mr. White's letter dated November 6, 2013 addressed to the Selectmen. Berndt said clearly there is some Class III activity going on over at Nicks. Berndt also was concerned with two Class II businesses at the same site being a violation of our Zoning Bylaws. He read 7.2.3 of the Zoning Bylaws not allowing this use. Kreidler informed him that this had been addressed in the past and it is allowed as long as two separate addresses for the lots are being used. He thought a Special Permit was granted over thirty years ago when Ron's Diesel first started there that superseded any future requirement. Mr. White wouldn't have allowed something like this to go through a couple years ago when these special permits were issued if there had been a need for site plan approval. Blair asked that as much staff work be done prior to it coming before them for action. Barrows trying to recall the exercise they went through not too long ago, stated the way it was written, the permits went with the property and not the business. That's not how they are written today; it is retained by the permittee.

Further discussion was had on the prior application and our current Zoning Bylaws not addressing Class III, only Open Air Salvage yards. Kreidler informed the Board that it is being kicked around that for a future Town Meeting an amendment be made to our table of uses to have Open Air Salvage and Class III the same which would then give our Zoning Enforcement Officer some leverage. O'Keefe asked the Town Manager to determine before their next meeting if they are operating under a Class III license before they vote licenses.

NEW BUSINESS:

Winchendon's Designation - 250th Anniversary Brick - Blair moved to give the Town Manager the authority to fill in what is appropriate for the Town's 250th Anniversary Brick to be placed outside of Town Hall; Berndt seconded. By vote of all aye, the motion carried unanimously.

Capital Planning Committee's Request for Secretarial Service - O'Keefe spoke of the letter he received from the Chairman of the Capital Planning Committee, John White, asking the Board of Selectmen to pay for the Recording Secretary from now until the rest of the fiscal year. It was stated the amount needed would not be anticipated over ten meetings, \$450.00. The goal is to be able to produce a type of minutes that we get at our meetings that are complete and thorough. The \$45.00 a meeting would include posting the agenda, taking notes at the meeting and producing meeting minutes. This is not something we do for other committees. Blair was willing to propose this for the remainder of the fiscal year without any obligation to continue to take it to future years out of the Selectmen's budget and for the amount not to exceed \$450.00. Berndt seconded. Kreidler commented the Board of Selectmen would fund the position and he would find the employee. Barrows supports the motion but asked if it was consistent with what other Recording Secretaries are getting. Kreidler said we would make it consistent with other appointed Board Recording Secretaries. By vote of all aye, the motion carried unanimously

OLD BUSINESS:

Consideration of Employee Contracts - This topic comes up in the Town Manager's Report.

Blair asked about the fence across from Ready Road. There is a business being approved to work in that residential area. It has more cars and more equipment that is dangerous. We have children and families on that road. He was told after a meeting was held about this issue that a fence would be put up. An awful fence was put up and only two-thirds of one. He asked for it to be followed up on. Kreidler stated today, Gerry White, our Director of Development, spoke to the principal owner who said that the hodgepodge height of the fence would be put at one level and he would continue building the fence. He stopped due to a matter of funding and will complete, unless otherwise compelled, in January. He will have it completely enclosed and the fence tops cut. Blair said he would be happy to wait until January and does expect compliance.

TOWN MANAGER'S REPORT:

1. Personnel Updates

a. John Deline, Public Works Director –

Kreidler mentioned this is the first of the four bigger Department's (Public Works, Police, Fire and, with your approval, Town Accountant) quarterly reports. Hunt is looking for a written quarterly report from all Depts. After a brief discussion of what data they are looking to see, it was agreed the Town Manager would work with each department and come up with important metrix/data that is valuable to the Board but not to burden them with the amount of details or quarterly attendance at the meetings. The information in the Annual Town Report could be cut in quarters to give them the information and the Dept. Heads would be invited to a meeting if it was deemed beneficial or necessary.

Berndt personally thanked Supt. Deline for all the work he has done. Supt. Deline said this is his first quarterly report and has written the high points in the last few months. He said his report is quite lengthy and he would touch upon some of them. He asked if they had any questions to ask him. Hunt had specific thoughts/questions. First on the bottom of page 2, she would like to see a future update on the High Street water storage tank. Deline replied that manufacturer is standing behind it with repairs being made. He's keeping on top of it and said there is no danger of it breaking. They have been working on this over a year now, coming back regularly. The seepage has reduced and they are keeping an eye on it.

Hunt asked about the water meter issues and those needing calibration. Kreidler responded that there was an issue with some of the connections, some had to be updated against the meter outside and the meter inside. There were issues about getting into the house to match up the numbers. Deline reported he's done his best to get into every house to make that correction and said there are a couple that are still out there. Some are recognized when a problem comes up. Kreidler said we have people who have clearly openly disregarded our efforts so estimating their bill higher has worked in getting people in.

Barrows asked Deline what were his top three priorities. He replied as far as a benefit to the Town would be to redo all of the downtown area. It's no easy task though. He would like to see the water mains, sidewalks, sewer and drainage systems done. It would cost a lot of money and he can't see putting a lot of money in unless doing it all at once. He estimated a project of this type to be \$2.5 million. He'd also like to put the electrical underground and have new street lights. Second priority would be some water main replacement projects. We had no violations this year; but last year we did up on School Street. An old main at the far end of the system where the pipe is reduced from its six inches can harbor bacteria growth. We have to do a lot of flushing. Third priority could be continuing sidewalk repair.

Barrows asked what the greatest risk was if we failed to address it. Central St., John replied. He said he has approached an engineer to put together a preliminary application to get on some type of list and get some funding from the state. He spoke on the problems with the state regarding Glenallen St. He has 100% plans but the state says we have to start over. It's a \$5,000,000 - \$6,000,000 job. They make it too expensive with their requirements.

Hunt commented on all the work that was done at Old Center and how she could see they were getting ready for the winter clearing the roads. Deline gave credit to his Foreman and workers crediting them for the work they are doing and for identifying issues ahead of time. He also wanted to send a thank you to the MCI work crews for the road projects they have worked on to assist our workers. Berndt moved to direct the Town Manager to send a letter to authorities at the prison to thank them for the work they have done; Barrows seconded. By a vote of all aye, the motion carried by majority vote.

Kreidler pointed out a situation that occurred within the last couple weeks. One of John's employees in the Cemetery Dept. was observant noticing something that struck him as unusual. He identified a vehicle and license plate to the Police Dept. who put it out on the radio. A detail officer heard the radio transmission, saw the vehicle, got in his personal vehicle with blue lights and was able to stop the car. As a result, they were able to get in the middle of a situation where this gentlemen was in his car in the cemetery with his windows taped and air vents blocked with a hose coming from the exhaust into the vehicle. He was stopped and saved and was able to get the type of assistance that he needed. Kreidler added that this is the type of environment that John is creating. The Chief wrote a wonderful letter of commendation for this employee as well as for the Officer for paying attention to that. Kreidler wanted to take the opportunity to thank the employee through John for caring for the public. John was thanked by all. Hunt stated she was happy with the report from the Dept. of Public Works. O'Keefe added it was nice to see John and looks forward to having the other Dept. Heads in. They commented too that it was nice to see street lights on.

- b. **Assistant Collector Treasurer** - Kreidler notified the Board that the Assistant Collector Treasurer, Katie Medina, has given her notice of her intention to resign her position with the Town to take a position of greater economic benefit with another non-municipal organization. Advertisements are currently on the street. It is sad to see her go.
- c. **Employee Contract/Benefits Grid** – Kreidler presented a matrix showing the detailed benefit levels and expiration dates for each of the collective bargaining and personal services contracts on the General Government side of the Town. He explained the grid to them. He talked about the earned sick time, how it works as a short-term disability. Blair stated he doesn't like the sick time buyback when someone retires. O'Keefe noted new contracts are no longer being written given sick time buyback. Union contracts will have to be negotiated down. Kreidler stated he despises sick leave buyback but having said that he recognizes the state law requires him to collectively bargain. The union has rights. They had a contract when he got to Winchendon that had 100% buyback with unlimited accumulation. Since he has been here that has been changing yearly and

some no longer get buyback at all. The concessions made by these groups at the table go to their credit. He can show how unwell he has treated these people at the bargaining table in wages. There have been a considerable number of years in which they have taken a zero number on base and at the same bargaining session, given up benefits. These are people that chose public service, that work hard in public service and while they may have gotten the benefit in say 1973 or 1982, that they felt great about getting at the time and felt justified in doing so, they also recognize the times today that people are out of work and working in an underemployed fashion. They have been willing in a course of a decade to give back a lot of things they didn't really have a requirement to. Once last point Kreidler offered was about the SJC case, referred to as the Holyoke decision, in which it was determined a weeks' vacation was seven days. You had a Fire Dept. contract that had express language taking the Holyoke decision into their employment and a 24-hour day times 7 was one week's vacation. They gave that up in a year they didn't get an awful lot.

O'Keefe asked the Town Manager when he started approximately how many of the employees had sick buyback. Kreidler replied everybody. Today it's four out of twenty-three. We have made incredible progress, O'Keefe concluded.

Earned sick is a concept if you don't call in sick for a certain amount of time, you get credit for that. Kreidler stated he has made the move away from that as well.

He mentioned the two left at 100%, he chooses not to make them reduce this in order to renew the contract. He chooses other ways around the issues.

Kreidler wanted to have full disclosure regarding his own contract. He stated until his most recent contract, he had unlimited 100% sick leave buyback. To the credit of the Board that negotiated that contract, they came at him hard and it was negotiated to none. That action paved the way with Department Heads where he could say he stepped out first.

2. Financial Updates

- a. Year End - Our new Town Accountant, Donna Allard, is working fastidiously to close the FY13 books and get the information off to the State Department of Revenue. She is having a hard time without the advantage of working with the past Accountant. Donna is not only learning a new community and a new system but she is coming into something that wasn't wrapped up but is getting close. O'Keefe mentioned we can't consider a Fall Town Meeting without this work being done and doesn't' it come to some point where we would just have to wait to the Annual. Kreidler replied when all books are closed and everything is added up and we are out of balance, we can't wait until spring Town Meeting because we can't set a tax rate. He stated Donna is working long and hard is looking to have something for you next meeting. Your pick of Donna Allard was a good pick. O'Keefe noted that the municipality he works for is still a month away as well. Hunt added seeing the School Committee meeting that the Business Administrator would be meeting with Donna to go over the school finances and payroll. Donna is working with her every Wednesday because what has been coming over from the School hasn't been good and not correct. It adds more work for her.

3. Project Updates

- a. Police Station Building Project – Kreidler reported that we have received the results of the final hazardous building materials investigation conducted on the flooring on the first floor of the building. The samples came back negative for asbestos containing materials. Town Counsel is preparing to release the escrowed funds to the former owner and we are set to move the project forward. Barrows moved to authorize Counsel to process the release of the escrow funds which are due to be released on or before tomorrow pursuant to the terms of the P&S agreement; Hunt seconded. By a vote of all aye, the motion carried unanimously.

Request for Qualifications (RFQ): Owner’s Project Manager (OPM) – Kreidler reported an RFQ has been issued to contract with an OPM. This will be our technical expert representing our interests throughout the construction. The due date for proposals are set for December 19th with an anticipated award slated for January 13, 2014. Per the Board’s adopted Designer Selection Procedures, the Board needs to appoint a review committee to evaluate the OPM submittals. The review is scheduled the morning of December 24th. He asked the Board to appoint a committee this evening and recommended appointing personnel with experience evaluating RFQ submittals of this nature. He suggested Director of Development, Gerry White, and Public Works Director, John Deline, as two such people. As Chief Procurement Officer, he requested to be appointed.

Blair moved to create the Review Committee to be of five consisting of the three recommended above, a second member of the Board of Selectmen and one from a member of the Police Dept. selected by the Town Manager. Berndt Seconded. By a vote of all aye, the motion carried unanimously. Selectwoman Hunt was selected to be the Selectboard member on the committee.

- b. **Route 140** – Kreidler reported the project was just about complete. The flashing light needs to be installed still. One thing not clear, O’Keefe stated, is the two “do not enter signs” where you leave the property near Dunkin Donuts that are parallel to the road. People coming in can’t see them. The Town Manager stated he would mention it to Supt. Deline to get back to the state about.

4. **Miscellaneous Updates**

- a. **Center for Alternative Medicine (CAM) Letter of Support** – Kreidler read the draft letter of support for CAM that will be sent in for them to include in their final Phase Two application for one of the 35 statewide medical marijuana licenses. CAM has requested letters of support from him, the Board of health and the Board of Selectmen. This is a cultivation package – grow, dry, package. Berndt moved to execute the letter of support; Blair seconded. Barrows stated he would like to meet with them with his concern about the product and will exercise his privilege to vote present. Other Board members discussed the opportunity for jobs that will be created. By a roll call vote of Berndt aye, Blair aye, Hunt aye, Barrows present, and O’Keefe aye, the motion carried. It was agreed the Town Manager will get contact information for Selectman Barrows. If the State approves this, it moves forward.
- b. **Glenwood 55+ Mobile Home Park** – Kreidler read from his report regarding a potential owner of a mobile home being just under the threshold of the 55 + community. The potential owner meets all of the park’s pre-screening requirements and is currently 54.5 years old. A notification/request has come in from the owners of the Glenwood Mobile Home Park relating to their interest in approving this sale. Each year the Park receives a license from the Board of Health as a “manufactured home community” and must supply their regulations as approved by the Attorney General. Given the interest of both the family and the Park owners to allow this sale to proceed, they are seeking a letter from the Town indicating that the Town will not hold them in violation of their license. Town Counsel recommends, if it is the wish of the Town to provide support to the family and park owners, that a letter be issued stating that the Town does not object to the sale to a person 54.5 years old (as the state and federal laws would already allow for such a transaction), but that the Town advise the park to amend its internal regulations on or before their next license renewal to allow for such sales if it is their intention to allow such sales in the future. Kreidler stated he has spoken to the Chairman of the Board of Health on this matter and he sees no problem in supporting the family and the park in this regard. He will seek a vote of affirmation of his letter at his Board’s next meeting. Berndt moved to authorize the Town Manager to write such a letter; Blair seconded. By a vote of all aye, the motion carried unanimously.
- c. **Winchendon Housing Authority** – Kreidler stated we have been advised that Comcast is expressly prohibited from continuing to allow basic cable services at no charge to the Housing

Authority and that the only thing that can change this position is a clarification by the legislature. Dave Connor, the Housing Authority Director, has reached out to Senator Brewer on the matter.

- d. **Municipal Electrical Aggregation** - Still no word from the Attorney General's office, Kreidler reported, "it is still pending."

MINUTES:

Monday, October 28, 2013 Regular Meeting – Approval of these minutes were passed over to the next meeting.

COMMUNICATIONS: None.

AGENDA ITEMS: December meeting schedule – The Board would be meeting on Dec. 9, 2013 and at the call of the Chair.

EXECUTIVE SESSION:

With Chairman O'Keefe declaring a need for Executive Session, Blair moved to go into Executive session under Exemption No. 3 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares and with the subject being Sun Edison PPA and also under Exemption No. 5 to investigate charges of criminal misconduct or to consider the filing of criminal complaints with the subject Water Theft and to come back into open session for the purpose of adjournment; Berndt seconded. By roll call vote of all aye, the motion carried unanimously and the meeting entered into Executive Session at 9:56 p.m.

Respectfully submitted,

Linda Daigle
Executive Assistant