

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MINUTES  
MONDAY, DECEMBER 9, 2013 7:00 P.M.  
Town Hall, 109 Front Street, Winchendon  
2<sup>nd</sup> Floor Auditorium**

Present: Robert M. O’Keefe, Chairman  
Elizabeth R. Hunt, Vice-Chairwoman  
Fedor Berndt  
Keith Barrows  
C. Jackson Blair

James M. Kreidler, Jr., Town Manager  
Linda A. Daigle, Executive Assistant

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List of Documents Presented at Meeting:

- FY2014 Tax Classification Hearing Notice and Documents prepared by Winchendon Board of Assessors (attached)
  - Historical Society Tour of Homes (filed)
  - Town Hall Holiday Scheduled (attached)
  - Purple Heart Town Citation/Certificate of Acknowledgement (Veteran’s Agent office)
  - Library Trustee Letter of Interest – Ronald Klash, Jr. (filed)
  - Winchendon 250<sup>th</sup> Anniversary Committee – List of topics, Commemorative Brick/Remembrance Lights flyers (filed)
  - Bonfire Permit Application – Chief Tom Smith on behalf of Winchendon 250<sup>th</sup> Committee (filed)
  - 2014 BOS License Renewal Lists (attached)
  - Town Manager’s Report (attached)
  - Letter addressed to MRPC seeking assistance to update the Economic Development portion of the current Winchendon Master Plan (attached)
  - Minutes for approval:
    - Monday, October 28, 2013 Regular Meeting (filed)
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The meeting was moved to the auditorium to accommodate all those in attendance. Chairman O’Keefe called the meeting to order at 7:11 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* - Doneen Durling announced she would be audio recording the meeting this evening when asked by the Chairman.

**SPECIAL TOWN MEETING** - O’Keefe announced that at least once a year the Town of Winchendon meets in its legislative body at a Town Meeting which all registered voters in the community are allowed to attend. Often there is a second Town Meeting scheduled to settle all previously discussed books. Kreidler explained that this Town Meeting is to settle the books for the fiscal year. The books need to be settled before the tax rate is set for the fiscal year. The action that is being requested in the meeting is such that the warrant opens tonight December 9<sup>th</sup>, 2013 at 7:15 p.m. and closes on Thursday, December 12<sup>th</sup>, 2013 at 7:15p.m. The warrant will then be drafted on Friday and presented to the Board to finalize on Monday, December 16<sup>th</sup>, 2013. Hunt asked if the warrant articles submitted by John White were final and Berndt replied they were not the final versions. Barrows moved the STM schedule; Berndt seconded. By a vote of all aye, the motion carried unanimously.

**TAX CLASSIFICATION PUBLIC HEARING** – O’Keefe read the hearing notice for the Tax Classification Public Hearing. Kreidler introduced Harald Scheid, our Assessor, from the Regional Resource Group. The Winchendon School students attending the meeting this evening are recognized and the Town Manager explained how exactly the tax rate gets set. Kreidler also noted that the information and data in the packets supplied by the Assessor contained more data than in the past. Mr. Scheid stated he is prepared to spend any amount of time necessary to explain and answer questions that the Board or the students might have. O’Keefe explained the setting of the tax rate is something that we have very little choice in and that there are state statues that we need to follow that will govern what the actual tax rate will be. O’Keefe said Mr. Scheid will give us a brief summary but that a full copy of the Assessor’s report is available for the public to view at any given time. Mr. Scheid announced his colleague, Jeff Reynolds, was unable to join them tonight being stuck at an airport with the weather as it was. He and Mr. Reynolds have collaborated since July formulating all the evaluations in Winchendon and getting the Town through the process of getting the evaluations certified through the Dept. of Revenue and to this Tax Classification Hearing tonight. The process can be as simple as his suggestion that they continue the practice of adopting a single tax rate or a residential factor or alternately they could delve into any questions. He recommended the Board adopt the single uniform tax rate by seeking a motion from the Board to adopt a residential factor of 1.0. Hunt asked to confirm her understanding of the process and the contents of the residential factor columns found on the tax rate options in the given packet. Mr. Scheid then proceeded to define personal property. O’Keefe commented how the Town of Winchendon earlier this year moved to his firm using an outside private Assessing Group and it has been beneficial for many reasons. Barrows moved the Board vote in accordance with Mass General Law, Chapter 40, Section 56 as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2014 tax rates and set the Residential Factor at 1.0, with a corresponding CIP shift of 1.0, pending approval of the Town’s annual tax recap by the Mass. Dept. of Revenue; Hunt seconded. By a vote of all aye, the motion carried unanimously. Mr. Scheid informed the Board there is a form, LA-5, that memorializes the vote and will need to be signed after the next Town Meeting. Barrows questioned the estimated tax rate of \$15.96 per \$1,000.00 and how close we are approximately to the \$15.96. Mr. Scheid feels that the number will not change; they have reduced evaluation throughout the year across the board especially on the residential side. They deal with historic value not the current value. There will be lower evaluations against a higher tax rate. Barrows asked if the proposed tax rate was inclusive of the capital debt exclusion that was voted at the Annual Town Meeting. Mr. Scheid replied the \$117,000 that was voted was inclusive. O’Keefe noted that people are going to see the estimate, which is about a 7% increase in the tax rate, approximately a dollar. Since the assessments have decreased and the rates have increased that allows the tax bills to stay similar to the past tax bills, with the addition of the annual 2.5% increase and any other improvements. Hunt commented on the quickness and efficiency of the Assessor’s office.

**PUBLIC COMMENTS AND ANNOUNCEMENTS:** None.

**PURPLE HEART TOWN PROCLAMATION:**

Certificate of Acknowledgement – O’Keefe mentioned that at a recent meeting the Board designated the Town as a Purple Heart Town. O’Keefe introduced Commander Leo Agnew from the Dept. of Mass. Military Order, State Representative John Zlotnik and a representative from Senator Brewer’s office. Representative Zlotnik presented the Board a citation signed by himself and Senator Brewer congratulating and acknowledging the Town of Winchendon on becoming a Purple Heart Town. A letter on behalf of Senator Brewer was read expressing his sincerest gratitude and admiration to the Town of Winchendon and dedication on honoring Purple Heart recipients. Commander Agnew then read a Certificate of Acknowledgement on behalf of the Mass. Dept. of the Military Order of the Purple Heart Dept. to the Town of Winchendon to be known as a Purple Heart Community honoring all that have made the ultimate sacrifice and shed their blood defending our country in all wars from Winchendon, Mass. in honoring August 7<sup>th</sup> as Purple Heart Day. He presented the Certificate to the Board. A brief recess was taken at 7:31 p.m. to take a photo of the presentation.

The Board reconvened at 7:33 p.m.

O’Keefe announced earlier this year we had our World War II Memorial set up in the park across from Town Hall. People from this Town have been sending their sons and daughters to the wars since before this nation was formed. He thanked everyone in Town who continues to work hard on these efforts and acknowledged Supt. John Deline’s efforts in creating a sign to be put up designating Winchendon as a Purple Heart Town.

#### **APPOINTMENTS/RESIGNATIONS:**

Zoning Board of Appeals Appointment – Daigle explained that Ray Benoit, an alternate member of the ZBA, has notified us with his interest in stepping up to a full member from that of an alternate. Blair moved Mr. Benoit to become a full member of the Zoning Board of Appeals; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Library Trustee Appointment – The Board received a letter from Ronald Klash with his interest in joining the Library Trustees. Mr. Klash came to the front to introduce himself and O’Keefe talked about the letter that Mr. Klash wrote and included why exactly he was interested. O’Keefe wanted to point out and recognize that there is still dedication and service happening in this community. Blair proceeded to thank Mr. Klash and moved the appointment; Barrows seconded, by a vote of all aye, the motion carried unanimously.

#### **BOARDS/COMMITTEES/COMMISSIONS:**

Winchendon 250<sup>th</sup> Anniversary Committee Update: O’Keefe states that in 2014 it will be the 250<sup>th</sup> year celebration of the Town and the Committee has worked several years to make this event special. O’Keefe invited Committee members up to hear the update on the upcoming events. Janet Corboseiro and Cindy Darcy introduced themselves. Ms. Corbosiero stated it would be nice for every family to have the opportunity to have a permanent memory in Town by purchasing personalized bricks that would be put in front of Town Hall. Every home in Winchendon will receive a form in the mail. The form and a sample brick were displayed. She described another upcoming event called Winchendon Remembers. This has to do with the Christmas lights in front of Town Hall, which are in memory of or honor of people from the past and present. A list will be presented in The Winchendon Courier in January. Forms are available online at [www.townofwinchendon.com](http://www.townofwinchendon.com) or the 250<sup>th</sup> Anniversary Facebook page. There are also paper forms available in the Town Manager office at Town Hall. There is a Bonfire and Pig Roast Kick-off event on January 18, 2014 at 6:00 p.m. at the American Legion. The bonfire is free to the public. There is a place at the American Legion by the wood pallets that families can bring their Christmas trees to burn on that day. Following the Bonfire will be a Pig Roast for a donation of \$5.00. A dance will follow with an ugly sweater contest. The Committee will be mailing a list of upcoming events to each household. The events scheduled so far are:

- April 26, 2014 - GALA Ball
- May 2014– Event at Old Center that will concentrate on our heritage
- May 2014 - Classic Car and Motorcycle Show at the Clark Memorial/YMCA
- June 14<sup>th</sup>, 2014 – Charter Day – Opening of the Time Capsule and adding to this Time Capsule (Please think of things that should go in this time capsule.)
- June 14<sup>th</sup>, 2014 - Cornerstone Church is hosting an Art Walk and Contest with the theme being Winchendon
- June 21<sup>st</sup>, 2014 –THE BIG DAY – Starting at 8:00 a.m. with the Rick Morin Road Race, events throughout the day with a fabulous parade and concert by our local bands and ending with fireworks over the Clark/YMCA field.

Ms. Corbosiero asked to help spread the word about these events and if anyone would like to help to please get in touch with them. The following businesses have memorabilia to purchase such as hats, car magnets, clings and key chains: Last Minute Gifts, To Each His Own, Reflections, Second Hand Impression and at the Winchendon Historical Society. There will be more items available in the future. You may find information and forms at the Town of Winchendon’s website, [www.townofwinchendon.com](http://www.townofwinchendon.com), and on their Facebook page and encouraged people to “Like” their page and share the information. Their email address is [winchendon250@aol.com](mailto:winchendon250@aol.com). Information and forms are available at the Clark Memorial/YMCA, Beals Library and the Senior Center. They looked forward to an exciting and eventful year.

Mrs. Darcy asked class representatives from Murdock to get the word out and invite friends and peers through Facebook and any other way of communication. The committee was thanked for their work.

**PERMIT/LICENSE APPLICATIONS, HEARINGS:**

Bonfire Permit – January 18<sup>th</sup>, 2014 - Fire Department /Winchendon 250<sup>th</sup> Anniversary Committee – Chief Tom Smith came forward on this application that the Board approves. Chief Smith recommended it stating it’s a great way to start the anniversary off. He complimented the American Legion for stepping up since it is centrally located and has good parking and other events could happen that same evening. Hunt asked if the fire hydrants in the area around the bonfire worked. Smith replied “yes.” Berndt moved to approve; Blair seconded. Barrows fully supported this event but was curious on what Chief Smith may have seen as a risk from a fire protection standpoint and how he will protect against an event from happening. Chief Smith said he went into Templeton when they had their bonfire and there were no issues at all. They will provide an engine or two to be present and cord off an area and monitor. An ambulance will be on site. O’Keefe mentioned how well and responsible Chief Tom Smith is as a citizen to this community and congratulated and thanked him. By a vote of all aye, the motion carried unanimously.

**SELECTMEN’S COMMENTS:**

O’Keefe announced the Historical Society Tour of Homes on December 14, 2013. The admission fee is \$20.00 for non-members and \$15.00 for members. Seven homes will be decorated for the holidays. You can call the Historical Society for reservations or purchase the tickets at the Murdock Whitney House.

O’Keefe announced the Town Hall Holiday hours: Closed December 25, 2013 and January 1, 2014. On December 24, 2013 and December 31, 2013 Town Hall closes at 12:30 p.m. There will be no changes to the Transfer Station hours.

Blair commented by saying it was nice to see fellow citizens recognized by organizations. Stone Bridge Press has announced The Winchendon Courier Editor, Ruth DeAmicis, the employee of the year. Congratulations to her.

O’Keefe announced the Winter Parking Ban begins December 1<sup>st</sup> and runs through April 15<sup>th</sup>, 2014. Ticket amounts will be \$20.00 for overnight parking and \$25.00 if it’s during a snow event. Police will enforce using their best judgment. In general, O’Keefe stated, do not park overnight during this time and you will be safe.

**2014 BOARD OF SELECTMEN ANNUAL LICENSE RENEWALS:**

Daigle explained the two list of license renewals in their packets. One list is sorted by businesses with the associated licenses listed on the right; the other list is sorted by license types. All of the licenses on the lists are up for renewal except the two that are crossed out. Hungry 4 Pizza and Il Italianos have not responded to the renewal application or phone calls placed and it is assumed they are not interested in renewing their licenses. O’Keefe stated if they were to respond within the next couple days they may be able to make it in the next meeting; if not, their licenses will expire on December 31, 2013. Blair moved to approve the license renewals with the exception of the two crossed out. Berndt questioned the topic of Nick’s Used Cars from the last meeting as well as the operation of Mark’s Auto Repair. Kreidler stated he had spoken with the Police Department and proceeded with a brief summary. Mark Tansey was advised from the Police Dept. that he could proceed with his application for a Class II permit while he is in the process of complying with the 15-vehicle mandate. He was further advised of the unregistered automobile bylaw and given thirty days to comply. Blair asked the Town Manager have this on his report in the future. O’Keefe mentioned if the applicant feels the fifteen car limit is harmful to him that he could come back to the Board.

Kreidler then read from the Police Department’s summary report regarding Nicks Used Cars. They met with the son, Napoleon, on site who stated they do not scrape cars or sell car parts which is more like a Class III license. A concern at your last meeting was there were activities taking place on that site that are more like a Class III license that is the scraping of and/or repair and sale of vehicles. Whether you are selling parts or taking cars that are repairable that require to be rehabilitated and then sold, it’s a Class III. Taking in used vehicles and selling is a Class II. The question raised at your last meeting was whether they are conducting business more as a Class II or Class III. They have indicated at your meeting that they are not scraping cars nor are they selling car parts. They stated they will

purchase salvage vehicles and other vehicles that need to be repaired and sold. We need to find out what is a “salvage vehicle” in this statement. If it’s a vehicle pursuant to statute that is being dismantled, rehabilitated, refurbished that is a Class III and they need to get the right permit. That will be addressed between now and your next meeting. They stated that only two vehicles on the lot for sale are owned by Nick’s Used Cars with the rest being owned by Affordable Motors. This also is the location Chairman White wrote about that there is two businesses using the same location. The officer didn’t observe anything that would indicate any vehicles were being scrapped or car parts were being sold. The officer left a message for Nick Methe, who is the principal, asking to speak to him directly regarding the matter. This will be followed up at your next meeting as well. One of additional pieces of information presented to him was a newspaper advertisement for this business that has in the advertisement that car removal is done; it also says that salvage vehicles can be repaired. It can be read in different ways. O’Keefe explained the motion before them. Blair moved to amend his motion to remove Nick’s Used Cars and Repairs along with the other two; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Hunt asked about junk/salvage vehicles. What do you call the two-hundred cars sitting behind that building; its junk cars. Kreidler explained here is a grandfathering question, vehicles parked in that condition for decades. Also you could get into, I’m leasing space for my business; I don’t know whose cars they are that are in the back, but they are not mine. Kreidler feels that the Police Department should get to the bottom of it. They have the ability to go on site and get answers and report back. Nicks says we are a Class II and buy salvage vehicles and sell them, which can be issued as a Class II. Hunt asked about Affordable Motors. Kreidler replied that no one has put in a complaint that Affordable Motors is doing Class III work. The Chair asked to have Nick’s Used Cars before them at their next meeting. Daigle pointed out that they were in the audience this evening. Mr. Methe and his son Napoleon were invited up to the Board to speak if they wanted to. Napoleon stated they take their vehicles from auctions, rebuild them then sell them. Kreidler informed the Board that statutorily that is a Class III. It was asked if zoning would allow this. Kreidler responded our zoning does not line up with Class I, Class II, and Class III. We have open air salvage which is allowed in that zone presently. We can’t say open air salvage is a Class I, Class II, or Class III. There is a proposal forthcoming to amend zoning to recognize Class I, Class II and Class III to allow for some consistency. M.G.L. Chp. 149 Sec., 59A and Chp. 148 C were reviewed. Napoleon stated his principal business was repairing and selling cars they owned but some were owned by others. Kreidler explained Class II entails doing minor repairs to resell but what you are doing buying salvage vehicles is bigger and above the scope of a Class II. Mr. Methe said he has been doing Class II but now his son buys salvage vehicles and does repairs. Kreidler stated that’s a good business but let’s get licensed appropriately. Kreidler asked who owned the vehicles that were out back. Mr. Methe stated probably thirty of them are his and the rest were Affordable’s. He estimated about sixty or seventy cars were out back. O’Keefe informed them that the process of getting Class III could take some time but if they were willing to cease all activities that are not under Class II, the Board could consider renewing their Class II license. Mr. Methe agreed and would get some of the other cars out of the yard. No action was taken on their license this evening and they were requested to attend the meeting next Monday.

New Year’s Eve Closing for Section 12 Liquor License Holders – Berndt moved to extend the hours to 2:00 a.m. New Year’s Day; Barrows seconded. By a vote of all aye, the motion carried unanimously.

**NEW BUSINESS:** Kreidler said this was a request from Montachusett Regional Planning Commission to seek technical assistance in updating the Economic Development portion of the Winchendon Master Plan. The Planning Board endorsed this application on November 19<sup>th</sup>, 2013. Blair moved approval for the Chair to sign; Barrows seconded. By a vote of all aye, the motion carried unanimously.

**OLD BUSINESS:** Blair asked about the half completed fence on Ready Drive and noticed that there has been no improvement. The business owner said that the fence will be completely installed and the mismatched lengths of the fence will be leveled by the end of January.

#### **TOWN MANAGER’S REPORT:**

- 1. Personnel Updates-** None.

## **2. Financial Updates**

- a. **Year End** – Kreidler started by saying that in normal instances the Special Town Meeting would have taken place some months before now. He wanted to inform those who were not aware of the struggles that the Accountant has been faced with the past half of year. Out long time Accountant was set to retire in September. She took ill a couple months before that. We had best intentions of having overlap of both the retiring Accountant and the new Accountant for a solid month. That didn't occur and also the two months prior to that, the chair went vacant due to illness. The new Accountant has had not only the learning curve of taking a job of this magnitude but also doing it without the benefit of that training. There has also been a transition of a new Assistant to the Accountant as well. Kreidler continued to talk about the new Accountant, Donna Allard, saying she was an exceptional Accountant, yet she has been handicapped by these certain circumstances. He said the tax rate couldn't officially be set until now, such time as the books are officially closed. The books can't be closed until balanced properly. In order to balance properly, we need to form a Town Meeting. He spoke of the customary year end accounts that need to be reconciled at Town Meeting. Also School Choice and Charter came in at \$100,000 more than has been budgeted. Kreidler explained ways to fix these issues. One way, Kreidler explained, is to look for existing lines in special articles for which Town Meetings authorized in appropriation. The work has been done and there is a balance remaining. Then go to Town Meeting and ask to use the balance that is left over for a different purpose. The second possibility is to go into the fiscal year 2014 budget, which has been done previously. Finally, the third way that Kreidler mentioned was to look at reserves which is the last option to be considered. Kreidler reassured this issue would be resolved at the Special Town Meeting.

A brief discussion was had on a way to stop having these estimated budgets that are too low each year for School Choice and Charter. The Dept. of Education's suggestion is to overestimate in order to be safe. Kreidler thought this would be a travesty with having to run with tight budgets. O'Keefe suggested we overestimate with it having an affect only the first year because the next year it's that same amount of money. Kreidler offered that there could be funds that are lawfully and appropriately used to cover that \$100,000 deficit from the School budget (School Choice, maybe Special Education, Certain Breaker, etc.) but does not know if they are willing to do that. If the School doesn't come forward to cover this, the Town has no choice but to cover it and we don't have much wiggle room.

Kreidler ended this with a statement saying Charlotte Gallant was an exceptional Town Accountant and that unfortunately illness is something that happens.

**3. Project Updates**- None.

**4. Miscellaneous Updates**- None.

### **MINUTES:**

Monday, October 28, 2013- Regular Meeting – Blair moved approval; Hunt seconded. By a vote of Barrows abstention due to his absence, Hunt aye, Berndt aye, Blair aye, O'Keefe aye, the motion carried by unanimous vote.

**COMMUNICATIONS:** None.

**AGENDA ITEMS:** None.

**ADJOURNMENT:** With no Executive Session being held this evening, Blair moved to adjourn; Barrows seconded. By a vote of all aye, the meeting adjourned at 8:49 p.m.

Respectfully submitted,  
Linda Daigle, Executive Assistant