

TOWN OF WINCHENDON
BOARD OF SELECTMEN MINUTES
MONDAY, APRIL 28, 2014 6:00
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, MA

Present: Robert O'Keefe, Chairman
Elizabeth R. Hunt, Vice Chair
Fedor Berndt
C. Jackson Blair
Keith Barrows

James M. Kreidler, Jr., Town Manager

Absent: Linda A. Daigle, Executive Assistant

List of Documents Presented at Meeting:

- Election Warrant for Monday, May 5, 2014 (attached)
 - Garrett Davieau's List of State Agencies (filed)
 - M.J. Galat information/letter from Kinder Morgan regarding Tennessee Gas Pipeline Expansion Project (filed)
 - Permit/License Applications:
 - Poppy Drive – Lt. F.W. White V.F.W Ladies Auxiliary – May 16 and 17, 2014 (filed)
 - Voluntary Boot Drive – Sat., May 3, 2014 – Winchendon Historical Society (filed)
 - Junk Dealer: Second Hand Article Season Renewal – Pattie's Jewelry, Inc., 15 Central Street (filed)
 - Junk Dealer: Second Hand Article Season Renewal – Impressions, 2 Juniper Street(file)
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 - Junk Dealer: Second Hand Article Season Renewal – 900 Lincoln Avenue, Daniel J. Brewer (filed)
 - Junk Dealer: Second Hand Article Season Renewal – Ed's Scrap Metal. 64 Main Street (filed)
 - Mr. James Halloran's letter of interest to serve on Planning Board (filed)
 - Town Manager's Report (attached)
 - o Special and Annual Town Meeting Warrant
 - Fiannce Committee's ATM Warrant Article Vote Record
 - Minutes for approval:
 - o Monday, April 14, 2014 Regular Meeting
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Chairman O'Keefe called the meeting to order at 6:15 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.

ELECTION WARRANT:

The Election Warrant was presented for Monday, May 5, 2014. The following positions were announced: 1 member of the Board of Selectman for a 3-year term, 2 members of the School Committee for a 3-year term, 2 members of the Board of Health for a 3-year term, and 1 member of the Housing Authority for a 5-year term. Berndt moved to post and execute the warrant, Blair seconded. By a vote of all aye, the motion carried unanimously.

SPECIAL TOWN MEETING DRAFT WARRANT:

Kreidler said the Board received a copy of the combined Special and Annual Town Meeting Warrants in their packets. They should've received an email as of this afternoon from School Committee Chairman Mike Niles indicating his desire that what was shown in article two in the draft Special Town Meeting Warrant be removed. Before them is the consideration and signature for the Annual Town Meeting Warrant that has already been approved and the Special Town Meeting Warrant with one article only. This article was voted 4-0 by the School Committee and unanimously by the Selectboard as well. He said it appears as article two in the draft they were given, and it is now a stand-alone article. Blair moved to finalize, execute, and post the revision for the Special Town Meeting Warrant, Berndt seconded. By a vote of all aye, the motion carried unanimously.

ANNUAL TOWN MEETING WARRANT:

O'Keefe said this warrant has already been finalized. Berndt moved to post the Annual Town Meeting Warrant; Blair seconded. By a vote of all aye, the motion carried unanimously.

RECESS: A recess was called for at 6:19 p.m. to execute the warrant.

PUBLIC COMMENTS AND ANNOUNCEMENTS:

Senator Stephen Brewer came before the Board. He spoke about his achievements and dedication to the State and how he has received a \$48,000.00 grant for the Senior Center to install back-up generators, to provide shelter and security for all members of Winchendon in case of an emergency. He said that the decision to choose Hank Doody as the Grand Marshall for the 250th Anniversary Parade was excellent. Also he announced we will be getting \$25,000.00 from the Commonwealth of Massachusetts for the 250th Anniversary celebration.

Garret Davieau, Chairman of the Conservation Commission, came before the Board. He has concerns and questions of the proposed pipeline project. He feels they have very little information of this project and is hoping to gather more information at the state level. Mr. Davieau asked for support from the Board of Selectmen in inquiring with the state agencies and seeing if there's any more information out there that they may have. He brought contact information of the agencies that he would like to inquire with and he said he feels it would be more meaningful if it came from the Board of Selectmen. O'Keefe feels finding out more information is something they desperately need.

Hunt motioned to authorize O'Keefe to sign a letter asking for additional information with similar language to what our Conservation Chairman said, Berndt seconded. By a vote of all aye, the motion carried unanimously.

M. J. Galat came before the Board to follow-up on the gas pipeline issue. Ms. Galat passed out a packet to each of the Board members. She said the top page is a letter that land owners received from Kinder Morgan. The first letter was received back in February and in this letter it refers to Chapter 164 of Massachusetts Law which basically states in threatening terms that they have the ability to take their land. She says her main reason for coming tonight is to make people aware that this is the most important time to take action.

Susan Burdsall came before the Board and also spoke about her concern with the Gas Pipeline. She asked if the Board knew if there had been any sort of communication at this point with the Town Manager with how this corporation and project would benefit the town. Kreidler said the corporation, in the first meeting, had said it was going to make a lot of tax revenue for the town. He said he knows that's not the case but that's what they led with.

He also said that we wouldn't be able to access the gas; they're just passing through. There was also talk about greater societal need for cheaper electricity in New England. Kreidler said that the corporation mentioned, with the glut of natural gas production in America, we have seen the de-escalation of electricity prices because natural gas is used to generate electricity.

Jane Lapointe came before the Board to also follow up and discuss the proposed pipeline. She mentioned that there are a lot of people west and east of here that are involved in the pipeline. She wants to let the Town know that there are people who are willing to gather more information and help with the project. Hunt asked if anyone knew who had been contacted yet. Ms. Lapointe suggested having a meeting with the people that were going to be affected

most by the pipeline. O'Keefe suggested setting up a committee that has one person or one small group of people receiving the information on the project. Kreidler suggested Barrows be the Chair of that committee. Hunt motioned to create a five seat committee with Barrows as Chair, Blair seconded. By a vote of all aye, the motion carried unanimously.

Brian Dickens came before the Board because he was interested in what was going on at the meeting. Mr. Dickens was appointed to the Parks and Recreation in November. He said the summer concert series booking is underway; there isn't a definitive line-up yet. He is working with the Ahimsa Haven Animal Rescue to put on a benefit concert at Beamon Pond Otter River swimming area on June 22nd at 3:00PM. It is a free event but donations are very much appreciated. It's going to be called Campahimsa because they are interested in having people camp out that night. It'll be \$12.00 per campsite.

PERMIT/LICENSE APPLICATIONS, HEARINGS:

Poppy Drive- Lt. F.W. White V.F.W. Ladies Auxiliary – Blair moved the application, Barrows seconded. By a vote of all aye, the motion carried unanimously.

Voluntary Boot Drive - Saturday May 3, 2014 - Winchendon Historical Society- Blair moved the application, Berndt seconded. By a vote of all aye, the motion carried unanimously.

Junk Dealer: Second Hand Article Seasonal Renewal - Sherri Erlenmeyer, Pattie's Jewelry, Inc. 15 Central Street – Blair moved to approve, Berndt seconded. By a vote of all aye, the motion carried unanimously.

Junk Dealer: Second Hand Article Seasonal Renewal - Michelle Peterson, 2nd Impressions, 2 Juniper Street – Blair moved the application, Berndt seconded. By a vote of all aye, the motion carried unanimously.

Junk Dealer: Second Hand Article Seasonal Renewal - Daniel J. Brewer, 900 Lincoln Avenue – Blair moved for renewal, Barrows seconded. By a vote of all aye, the motion carried unanimously.

Junk Dealer: Second Hand Article Seasonal Renewal Edward Vaillancourt, Ed's Scrap Metal, 64 Main Street – Blair said there were some questions about meeting the obligations on this permit. Kreidler gave a quick overview of the process and dedication Mr. Vaillancourt has made. He strongly suggests the Board give him his license in expectation that his paperwork for the Town will be submitted as anticipated and with a three month condition that the matter is brought back before the Board. Blair said he feels Mr. Vaillancourt needs to fully understand that in three months, if he hasn't successfully met the standard that everyone else who has this license has, the Board will not renew it. Berndt asked how often renewal default paperwork is investigated. Kreidler replied every time.

O'Keefe asked if the recommendation of the Town Manager's proposal went with the Police suggestion. Detective Wolski came before the Board and said yes; he thinks that it would. Blair moved for a three month renewal of the application, Barrows seconded. By a vote of all aye, the motion carried unanimously. The Board wants to make sure this is put on the agenda three months from now.

NEW BUSINESS:

Planning Board Appointment – James Halloran: Mr. Halloran came before the Board. He gave the Board a little background history and told them why he was interested in being part of the Planning Board. Blair moved the appointment, Berndt seconded. By a vote of all aye, the motion carried unanimously.

TOWN MANAGER'S REPORT:

Annual Town Meeting Warrant Recommendations – Each article was presented by the Town Manager. Following is the Board’s recommendations:

Article 1 – Committee Report - Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 2 – Establish/Discharge Committees - Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 3 – Revolving Funds Article – Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 4 – Senior Work-off Program – Blair moved to recommend; Hunt seconded. By a vote of all aye, the motion carried unanimously.

Article 5 – Non-profit Support – Barrows moved to recommend; Blair seconded. By a roll call vote of Barrows aye, Hunt aye, Blair abstain, Berndt aye, the motion carried by a majority vote.

Article 6 – OPEB Fund – Barrows moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously. Hunt wanted to bring up the strategy of additional funds. She mentioned there are still a lot of open issues financially. She would like to take more of an aggressive approach. O’Keefe offered a suggestion mentioning that the items were just dropped by \$5,000.00. Kreidler said they are already committed in reducing the 100% transportation through Medicaid down to 80% which means he’s hooked to find additional funds. He was hopeful that the five plus would get him a little closer to that.

Article 7 – Stabilization Fund Article – Berndt moved to recommend; Blair seconded. By a roll call vote of, Berndt aye, Blair aye, Hunt abstain, Barrows aye, the motion carried by a majority vote.

Article 8 – FY15 General Government Budget – Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 9 – Water Enterprise Budget - Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 10 – Wastewater Enterprise Budget – Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 11 – Transfer Station Enterprise Budget - Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 12 – FY15 School Budget – Barrows moved to recommend; Blair seconded. By a vote of all aye, the motion carried unanimously.

Article 13 – FY15 Monty Tech’s Assessment – Blair moved to recommend; Hunt seconded. By a vote of all aye, the motion carried unanimously.

Article 14 – FY15 School Transportation – Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 15 – FY14 School Appropriation Increase – Kreidler says this is an article they spent some time talking about at the joint meeting. The suggestion he had made to the Superintendent and the members of the School Committee was that they check with the Moderator to make certain that what they're intending to do with this article can, in fact, be done. He has been advised by Town Counsel that it can't. This article asks town meeting to increase the school budget above Net School Spending. Berndt moved to disapprove; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 16 – MMHS Defray Costs – Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 17 and 18 – FY10/FY11 School Municipal Medicaid Reimbursement Program - O'Keefe said that at the joint meeting with the School Committee, they indicated they would withdraw these two articles. Kreidler mentioned that there was a feeling from the discussion with the Finance Committee that these two have already been spent. Blair moved to disapprove; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 19 and 20 – FY12/FY13 School Municipal Medicaid Reimbursement Program – Kreidler said the amendment that'll be offered through the motion is the sum of money representing these years of Medicaid reimbursements. 20% to be funded from stabilization with the contingency that the money won't be withdrawn from stabilization until after the Fall Town Meeting, whenever it shall occur, because the effort will be made to fund it from another source at that Fall Town Meeting. O'Keefe asked if he had any idea why the Finance Committee disapproved the articles. Kreidler said these votes took place prior to the Joint meeting, so he feels they didn't have the benefit yet, but he is not positive.

Article 21 – FY15 School Operating Budget – O'Keefe said it was already approved in Article 12. This is the article that the School Committee submitted that failed to have a dollar figure. Blair moved to recommend to disapprove; Berndt seconded. Barrows said this is not referring to who proposed what article; it's an issue of supporting the most detailed. By a vote of all aye, the motion carried unanimously.

Article 22 – Capital Stabilization Account - Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 23 – Fire Department Roof – Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 24 – Town Hall Computers – Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 25 – Toy Town School Generator – Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously. Hunt says what this comes down to is a five year debt at \$2.76 a year per a \$100,000.00 home. That's what it'll cost to pay this off.

Article 26 – Dump Truck for Cemetery – Hunt noted that it is a five year note at \$2.39 a year per a \$100,000.00 home. Berndt had concerns about needing a \$65,000.00 truck to plow. Kreidler answered saying that it is a truck assigned to the cemetery division so during 9 to 10 months out of the year when we have weather enough to be doing cemetery work, it'll be doing that. In the part of the year we have snow, it'll be plowing the streets because the employees of the cemetery division have routes out of the cemetery. Blair moved to recommend; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Article 27 and 28 – Beals Memorial Library Accessibility Upgrades/Library – Hunt explained the debt exclusion is a twenty year note at \$3.50 a year per \$100,000.00 home. Berndt said he has some problems with this. He knows we've gone for a community grant a couple times and this is basically to give them handicap access. He knows there's some trust money put aside for this and he doesn't understand why they are putting a total burden on the tax payers of the town and not using some of the trust money. O'Keefe replied they are because the actual cost of the project is \$1.2 million. This article is for \$300,000 which is only 25% of this entire project. O'Keefe explained that this is an additional \$126,000.00 which is not a tax increase, it's just coming out of money that we have already from PILOT revenue. The remainder, which is more than 50% of the project, is coming from the Library Trust Fund, a Robinson Broadhurst Grant, the Friends of the Library, and other resources the Library has put into this project. Blair moved to recommend; Hunt seconded for discussion. By a vote of all aye, the motion carried unanimously.

Article 29 – Town Hall Boiler – Blair moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 30 – Has been withdrawn.

Article 31 – PILOT Agreement – Blair moved to recommend; Hunt seconded. By a vote of all aye, the motion carried unanimously.

Article 32 – Redevelopment Authority Parcels – Kreidler says two of the parcels that are referenced in this article are down on Rt. 202. The concern registered in the community by some folks is that these parcels appear to be within the layout of the proposed pipeline. His concern is that Town Meeting would vote this transfer down because they wouldn't have an assurance that these parcels weren't going to fall to the pipeline. Kreidler requested that Gerry White seek a vote from the Redevelopment Authority to go on record that these parcels will not be sold to the Tennessee Valley Pipeline-Kinder Morgan people. Hunt moved to recommend; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 33 – Community Preservation Act (CPA) – Berndt moved to disapprove; Blair seconded. By a vote of all aye, the motion carried unanimously.

Article 34 – Pooper Scooper Law – Blair said nobody likes to see a lot of dog and cat dirt around town. He seriously questions the enforcement of such a law and is deeply disappointed in others that have not been enforced. Kreidler disagreed with the way Blair was couching the issue and said we do enforce but nine out of ten times people aren't aware of that because people tend to comply. No recommendation was made.

Article 35 – Underground Fuel Storage Regulation – Hunt said she heard in the neighborhood that the woman was expressing her concerns about that they could have a handful of underground storage tanks. She said banks will not give you loans with an underground tank. O'Keefe would like to see the town in the future ban the installment of

underground fuel tanks. Blair moved to disapprove; Berndt seconded. By a vote of all aye, the motion carried unanimously.

Special Town Meeting Warrant:

Article 1 – Blair moved to approve; Barrows seconded. By a vote of all aye, the motion carried unanimously.

Article 2 - \$300,000 Override to increase School Department – Kreidler updated them on the status since the joint meeting. At the meeting everything was taken to co-sponsor an override for the School Department to be above net school spending. Additionally to the \$300,000 amount, was the request that the article wording be narrower to include a phrase that the override was to fund and increase the indirect cost. Blair moved to approve; Hunt seconded for discussion. Hunt asked in that group meeting, wasn't there a percentage they increased on indirect. Kreidler said most Medicaid reimbursement, which is a small number given the size of the School Committees budget, is roughly \$25,000 a year as of today. He said this is to fix what has been identified as a structural problem. O'Keefe mentioned how we are in the bottom 10% of communities funding education. Blair asked what kind of burden does this place on people with limited income. Kreidler said it is around \$49.00 a year on a \$100,000.00 home. Barrows commented that there is a structural hole and feels they all know where that hole comes from. He said we may have some of the lowest scores; but we have some of the most competitive salaries. By a roll call vote of Berndt aye, Blair no, Hunt no, Barrows aye. The motion carried with a majority vote 3-2.

MINUTES: N/A

COMMUNICATIONS: N/A

AGENDA ITEMS: N/A

ADJOURNMENT: With no Executive Session being needed; O'Keefe moved to adjourn; Berndt seconded. By vote of all aye, the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Ashlyn White
Recording Secretary