

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MINUTES  
MONDAY, APRIL 13, 2015  
Town Hall, 2<sup>nd</sup> Floor Auditorium  
109 Front Street, Winchendon, Mass.**

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

James M. Kreidler, Jr., Town Manager  
Linda A. Daigle, Executive Assistant  
Debbie Dennis, Recording Secretary

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List of Documents Presented at Meeting:

- Master Plan Vision Session Flyer (filed)
- Town Accountant's Year To Date Report March 31, 2015 School and Town (filed)
- Permits/Licenses:
  - o Boot Drive May 9, 2015 – Historical Society (filed)
  - o Parade Permit June 20, 2015 - Clark/YMCA 155 Central St (filed)
  - o Entertainment Permit June 20, 2015 Roaming Railroad – Unitarian Universalist Church (filed)
  - o Common Victualler – Lickety Splitz, 231 Main St. (filed)
  - o Race Permit – April 25, 2015<sup>th</sup> USA Ball Hockey 5K (filed)
    - o Junk Dealers: Second Hand Articles Dealers License Renewals (filed)
    - o 2<sup>nd</sup> Impressions, 2 Juniper St. – Michelle Peterson
    - o Daniel Brewer, 900 Lincoln Ave.
    - o Pattie's Jewelry, Inc., 15 Central St.- Sherri Erlenmeyer
    - o Ed's Scrap Metals, 64 Main St.
- Planning Boards letter dated April 8, 2015 to the Board of Selectmen recommending they accept the plan to layout portions of West St. and Harris Rd. an to place an article for the next scheduled Town Meeting. (filed)
- Town Manager's Report
  - o Draft Special and Annual Town Meeting Warrant (filed)
  - o FY16 Annual Budget Presentation (filed)
- Minutes for Approval:
  - o Monday, March 23, 2015 - Regular Meeting (filed)
  - o Monday, March 23, 2015 – EXECUTIVE SESSION (filed)
- Communications:
  - o Brandywine Farms, Inc. Notice of Intent to Apply for Tax Increment Financing dated 4/6/15 (filed)
  - o Mass. State Lottery Commissions letter asking for any objections to Kwik Stop Liquors or Gateway Convenience selling KENO To Go.

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Chairman O'Keefe called the meeting to order at 6:20 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.

**SELECTMEN'S COMMENTS:**

PROCLAMATION – This item is being postponed until the next meeting.

Linda Daigle introduced the new Recording Secretary Debbie Dennis. She comes with years of experience as the Recording Secretary for the Finance Committee as well as the Board of Health. Mrs. Dennis was welcomed.

**PUBLIC COMMENTS AND ANNOUNCEMENTS:** There were none.

**BOARDS/COMMITTEES/DEPARTMENT HEADS:**

Master Plan Committee – Vision Session, Tuesday, April 28, 2015 6:00 p.m.-8:00 p.m. Planning Agent Tracy Murphy and Master Plan Committee Chair Penny Maliska came to the table and encouraged everyone to come to the Vision Session on April 28<sup>th</sup> at the High School. It is open to everyone. We want to get out as many ideas as possible, we will have other meetings. We will ask people what they would like to see happen in the town over the next 10 year. There are seven categories, land use, transportation and circulation, services and facilities, natural and cultural resources, economy development, housing, and open space and recreation. All of those are subject to revision with feedback from people in town. Looking forward, what would you like to see ten years from today. We are just getting started all subject to revision. We will gather in auditorium and small discussions in cafeteria. Ms. Murphy stated we are working together with the Winchendon Open Space and Recreation Plan Committee as well as the Winchendon Enhancement Committee, a sub-committee of Toy Town Partnership, in hosting this. Selectwoman Hunt asked about the completion date or goal. Ms. Murphy said that there goal is next fall 2016, which is 18 months out.

**TOWN ACCOUNTANT MONTHLY UPDATE:**

Town Accountant FY15 Year to Date Reports: Town Government /School - Ms. Donna Allard was welcomed. There are the same deficits as discussed last month. The unemployment deficit increases. There are small deficits that we can take care of with the May and June transfers which are allowed at the end of year. Once those requests are made they will be brought to the Finance Committee and the Selectmen for approval. We are in the process now updating a flag and tag, seeing if there are any funds that aren't going to be used; we have been talking to departments. One department will be liquidating one of their purchase orders. I have been reaching out to department heads to be able to identify those resources and see what's available to last us the rest of the year. Chairman Berndt asked if there is anything that we should be focusing on at this point. Donna said the highway operator's account is seriously in deficit. She said that she spoke with the DPW administrator and she said that she is combing through her accounts to see if any purchase orders can be liquidated. I'm also looking at the cemetery account to help handle the fund. We have a labor position and if we don't fill it we can have the remaining balance in that account. I am also taking a look to see if everything is reconciled everything in the water funds. Request to reduce \$171,300 to and \$62,000 out of that highway operators accounts. Transfers can take place between those accounts. Those are the two most troublesome at the present moment. She said communication with department heads is approving weekly. Selectman O'Keefe asked about snow and ice if we are spreading it over 3 years. She said that she hasn't heard of that. Jim Kreidler said the draft warrant has it funded this year from stabilization. He will talk about spreading it out over two years. He is looking for the Board of Selectmen's input. Jim Kreidler follow up benefits spread up over two years we are in a que to receive federal funds proclamation. We would receive those funds next year. Selectman O'Keefe said DLS put a memo out last week that it could be spread out over 3 years. Jim said as you know, you gave a directive to increase the appropriation for snow and ice next year this is another 60 or 70 grand in the budget for snow and ice. Jim said the school has put a warrant article on, for consideration of funding at town meeting. The other two that show as a concern that don't show a negative yet, but will be are veterans and health insurance. Concerning health insurance we are roughly running premium basis.

There will be roughly \$350,000 still sitting there, we should come in with a less deficit than DOR predicted. Veteran's services are showing a positive balance of \$39,000 but after this warrant, it will be in deficit but has been authorized to be in deficit. It has already been flagged under the deficit legislation. Donna explained part of deficit legislation; our budget rollout was the \$400,000 and \$100,000 veterans. We chose not to borrow for those but still have the ability to borrow to cover the actual numbers that have been anticipated. Jim said those are numbers that have already been built in to expectation of borrowing. Four for health and one for veterans still puts us at \$3.472 million dollars deficit cumulative FY13, FY14 and FY15 \$400,000 and \$100,000 as voted town meeting. Jim offered that today he received news from Blue Cross Blue Shield we went out from self-insured to fully premium basis. We have predicted a 5% increase in the budget. That number has changed. We aren't going to see a rate increase but being held flat for the full FY16. It is roughly \$118,000 that we budgeted that we know is not necessary. That's 50 to 60 thousand left on the table for the school and us. Chairman Berndt asked if TMS had any questions. They said when we get to the warrant. Ms. Allard was thanked for her attendance this evening.

**APPOINTMENTS/RESIGNATIONS:** None.

**PERMIT/LICENSE APPLICATIONS, HEARINGS:**

Boot Drive May 9, 2015 – Historical Society – Mr. Don O'Neil came before the board to discuss the Boot Drive on May 9. They do this every year for the historical society. It will be located in front of museum. He said that everything they collect is for scholarships for Murdock. It's been successful in past and we hope it will continue with this trend. **A motion was made by Selectman Barrows to move for applicant, waiving the fee, the event to be held Saturday, May 9th from 8 – 1 p.m. The motion was second by Selectwoman Hunt.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Parade Permit June 20, 2015 - Clark/YMCA 155 Central St. -- Linda apologized with scheduling the timing saying the permit applicants were asked to be present at 7:30 p.m. for these agenda items. Selectman O'Keefe said we don't need to wait. We have the comments from various departments. They work with Lieutenant Walsh. **A motion to move for the applicant was made by Selectman O'Keefe. The motion was second by Selectwoman Hunt. Selectwoman Hunt read the info from the application.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Entertainment Permit June 20, 2015 Roaming Railroad – Unitarian Universalist Church of Win. – **A motion was made by Selectwoman Hunt to move for the applicant.** She said that she heard positive things, there were no accidents and it fits in well. **The motion was seconded by Selectman O'Keefe. Selectman Barrows said that this is conditional permit on receipt of updated insurance.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Common Victualler – Lickety Splitz, 231 Main St., Owner Change- Michael Lee came forward. Selectwoman Hunt recused herself from the table. Michael said that he came forward to explain the license transfer. He said that he doesn't plan on changing anything. Linda updated the Board on items still needed to be provided. **A motion to move for the applicant was made by Selectman O'Keefe. The motion was second by Selectman Barrows. This is condition on the workman's compensation certificate. It will have the same name.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)**

Beth returned to table 6:44.

Race Permit – April 25, 2015<sup>th</sup> USA Ball Hockey 5K – Chairman Berndt read the application information. Linda updated the Board that this permit was previously brought before the board but the race was delayed. **A motion was made by Selectman O'Keefe to move for the applicant, as long as the applicant continues to work with the police department. The motion was second by Selectman Barrows.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

**MINUTES:**

Monday, March 2, 2015 - Joint BOS/SC/FC – The minutes were not available for consideration of approval this evening.

Monday, March 9, 2015 - Regular Meeting - The minutes were not available for consideration of approval this evening.

Monday, March 23, 2015 - Regular Meeting – **A motion was made by Selectman O'Keefe to approve the regular minutes of March 23, 2015. The motion was second by Selectwoman Hunt.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Monday, March 23, 2015 - EXECUTIVE SESSION – **A motion was made by Selectman Barrows to approve the executive minutes as printed and release. The motion was seconded by Selectman O'Keefe.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

**COMMUNICATIONS:**

Brandywine Farms, Inc. letter dated 4/6/15 – Intent to Negotiate a TIF Agreement - Jim Kreidler noted the letter in their packets from Brandywine Farms explaining that their business is one portion profit, one not for profit. They are looking to engage the board in a tax increment finance agreement. The board is authorized by statute to enter into a negotiation with a private property owner that is doing capital improvement and job creation. You can negotiate and have the incremental value of new taxes increase period of time up to 20 years. John and Amelia Giovanon are asking to come to your next meeting and have that discussion with you. Jim said it begins with a public announcement and then Executive Session under exemption No. 6 for Real Estate, then come back out and execute if they come to terms. Their hope is to come to the next meeting. Jim said that they are more interested in state incentives which aren't available unless a minimum TIF. If you adopt it, it needs to be approved at town meeting. It has been placed in the warrant on the off chance it is to be considered to be an act of the board. They will be asked to come right at 6:15 p.m.

**NEW BUSINESS:**

Layout as Town Ways - Harris Road and Portions of West St. – Chairman Berndt read the letter from the Planning Board recommending the Selectmen accept the above referenced plan to layout portions of West St. and Harris Road as a town way and to place an article on the warrant for acceptance. Jim said you have the next step to accept the section of the roadway as public for the purpose of doing the reconstruction that the state is doing. This board voted to lay it out, the planning board has now accepted it and proposes the layout and you will see an article in the draft warrant for consideration. Selectwoman Hunt asked if this was adding to the requirements of labor for the DPW. Jim said that Superintendent Deline recommended this and it will make it easier as the bridge will be wider and smoother. He also said that John Deline has agreed to stay on to shepherd this process. There is another article in the warrant that we need to secure certain easement rights in that neighborhood. He said that Superintendent Deline said that he would stay on to coordinate that process.

**TOWN MANAGER'S REPORT:**

**1. Personnel Updates-**

- a. Acting Sergeant-** Jim Kreidler reported as a result of a vacancy in our Police Department ranks due to injury, the Chief recommended he appoint Derek Blair to the position of Acting Sergeant. Derek is an outstanding officer and both the Chief and the Lieutenant believe that he will do a fantastic job. **A motion was made by Selectman O’Keefe to move to accept Derek Blair as Acting Sergeant. The motion was seconded by Selectman Barrows.**  
**BERNDT(Y)                      O’KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

- b. Interim Town Manager-** As of, on or before May 1<sup>st</sup>, the Town will officially be without a Town Manager. The Charter calls out the process for addressing this situation. Given the prospect of a majority change on the Board within the next month, it becomes difficult to predict what a future board might look like and who the members of that Board may want to serve in a temporary capacity. He provided them with information from the Massachusetts Municipal Association’s Mass Municipal Manager’s information on Interim Managers in an effort to teeing this pathway up. The Board discussed whether they should reach out to the candidates running to try and reach a consensus on a pathway forward and use the MMA services to at least to solicit resumes for those candidates that may be interested in interim work sooner than later.

Three candidates were present who were running. The three candidates in attendance came forward. Selectman O'Keefe said that if this board does nothing it leaves the seat vacant and leaves it for you to deal with, or we could bring in an interim town manager for a short term of 10 working days. It would be a benefit having someone in the office working and you would be able to make the decision to keep the person longer than two weeks or not to. The benefit to the new board is that the day you are elected you have a town manager. This board would not be signing a contract. The length of time would be a ten day minimum.

Barbara Anderson, who is running for selectmen said yes that she thought it's a great plan. Audrey LaBrie, who is running for selectmen asked about a ten day work without a contract and without long term commitment. Jim said that the ten days is a minimum they would work. If retired then they could serve for three months which is allowed by charter. Then you would disappoint and reappoint which would give you three more months time to do the work necessary without having the work of the town stop. Audrey was definitely interested, either being involve in disucsion and sitting board go that route to take it from that point. Kevin Miller, who is running for selectmen said he definitely agreed to have an interim in place to move forward. The new board can figure out what they want to do.

Jim recommend a sub committee of this board to work off line with any of the candidates to get that ball rolling. On the 27th you could take that vote at least for that ten day window. If you appoint a subcommittee we can do that work. Selectman O'Keefe and Chairman Berndt agreed to be on the committee. Audrey, Barbara and Kevin said they would also like to be part of it.

**2. Financial Updates-**

- a. FY16 Budget- Jim** Kreidler said that each of you have received a copy of the FY16 Annual Operating Budget. He said he has blocked off the next couple weeks for time for them if they had any questions, at any level of detail they could set up appointments, call him any time with questions. He said the budget has changed since they received their last copy we got the news today about the health insurance. I will get a revised copy electronically to you. You’ll see that

the health insurance budget is going down roughly \$118,000. A portion is reflected in the school's indirect budget and about \$60,000 for general government purposes. Jim said that he has recommendations of where that money could be used.

### **3. Project Updates-**

**a. Town Solar Farm** - The contract has been executed and the engineers have been onsite. The project is fully underway and on track. The time frame that Sun Edison has is 9 months with a completed six months thereafter. Move more quickly than that to avoid the prospect of working in the winter. It is easier getting it done before winter. If they don't have it up an operational after 6 months they have liquidated damages. They are not insignificant. It will be a \$1,000 a day. If you get down there, they have engineers down there and the DEP has been reengaged on the post closure use permit. The existing permit is still valid and we should be able to move forward. There are two things you pushed back on: \$12,500 per quarter as option money, you pushed back for another quarter and they have agreed to that and lastly, you pushed back due to no fault of ours we had to renegotiate the deal and they put \$5,000 for legal costs. The first quarterly will be July 1st. The project is fully underway and on track. Selectwoman Hunt asked about the municipal aggregation. Jim said the DER has approved the plan. We go to the DPU; we have to answer certain question. The consultant would answer those questions. He said they are still saying May bill.

### **b. Proposed Business-**

Brandywine Farms- Jim said that this was already discussed previously and that you are inviting them in at the next meeting at 6:15pm to discuss a TIF agreement.

### **4. Miscellaneous Updates-**

**a. Special and Annual Town Meeting Warrant May 18, 2015** - . He explained to them that they are not approving the warrant tonight but just accepting the articles that have been appropriately submitted. He briefly ran through each article with them. Jim Kreidler passed out a revised warrant tonight derived from health insurance information he just received this evening

Special Town Meeting:

Article 1 – Usual and customary reports of the Finance Committee.

Article 2 – Is about the FY15 \$100,000 deficit in Veterans Services.

Article 3 - Is the FY15 \$400,000 deficit in Health Insurance that can be reduced on Town Floor.

Article 4 – Is the Department of Revenue's request from last fall that we improve the financial software of the town. The amount is \$60,000 transferred from stabilization.

Article 5 and 6 – Jim Kreidler read the articles submitted by the school. TMS was in the audience to answer any questions.

At beginning of FY15 we had 1.6 million dollars in stabilization. The law requires what you take out of stabilization you have to put back. At the special town meeting the town accountant was asked how much is in the stabilization account. She answered \$515,000. There is still 1.1 million that needs to be transferred and put back into stabilization before the end of the fiscal year.

Mr. Andy Paquette and Mr. David Lockwood, TMS Consultants in the School's Business Office were present. Mr. Paquette spoke about the out-of-district special education. He was told by the DOR that if something unanticipated or unbudgeted that we are to go back to the town for an appropriation. To go to town meeting for the deficit that is this article. Selectman O'Keefe asked about the unemployment article. How can it be unanticipated? Andy said we were notified in

February about the \$50,000 budgeted number last year. We hadn't seen any of the unemployment information. We went back to verify where it went. Selectman O'Keefe said the school doesn't need Mr. Kreidler to tell them their unemployment is rising or dropping, the school should know that. Selectman O'Keefe said it was or should have and it simply was not budgeted. Clearly enough funds were not budgeted. Jim explained each year particular items indirect cost agreement, expenses carried general government budget but driven by school department, those controlled by the school, unlike things like unemployment tells us what they anticipate what they need. Andy wasn't here then and didn't make that recommendation. It could have been that person's anticipation that \$50,000 was sufficient. Selectman O'Keefe said that he was happy to see it increase. Andy said we were looking at a third article, but we are absorbing that in the funds they have available. The school district is doing what they did in the past, these two articles in absence of funds. It's the DOR directive. Jim asked didn't Dennis Mountain say , to go back and seek an appropriation, the context, we were both directed in that meeting with Mr. Perry to make cuts in our budget in that meeting. He grants Mr. Paquette that there was some confusion, Mr. Mountain and Ms. Wager said that's silly you can't cut more. That was when .we went to town meeting, the town made cuts but the school did not. In the entire appropriate context, if you cut your budget by \$200,000 then by all means come and ask for the money, but no cuts were made. Donna added that was the context.

Andy Paquette said as far as context goes he agrees. He emailed Shawn Cronin and said we anticipated the school district would try to reduce the deficit and if not then you would ask for a supplemental appropriation. Jim said if Mr. Cronin expects that you absorb the deficit first before asking then what steps have you made. Andy Paquette said these are place holders, we are hoping to lower them come Special Town Meeting. Right now due to special legislation, we want to make sure it's covered one way or the other. The School District is doing what they can do to ameliorate these two articles. There has been a budget freeze, grants allowed to rewrite, reviewing open positions, reviewing after every warrant. This is the worst case scenario. I would love it if at the Special Town Meeting if the School Committee makes an amendment. Select-woman Hunt asked about the \$150,000 in stipends. Jim said that is actual FY16 budget. The teachers union agreed not to reopen contracts, but step increases are \$150,000 not stipends. Selectwoman Hunt asked you can't freeze it. They probably well deserve it; have they been talked to and asked. Andy said it's subject to negotiation and he doesn't have the authority. Selectman O'Keefe asked when does this end. We had a huge problem with our health insurance trust. More and more expenses get thrown on. We are already \$1 million in the hole, when does it end. Are we going to deplete stabilization? Once it's gone, that's it one thing we've had going though, we had \$1.6 million in stabilization. A neighboring community with similar problems now has \$60,000. We can't spend all of this money. It has to end. Selectwoman Hunt asked about the strategy she's hearing. The school tends to make a motion on the floor to take their articles out of order. If voted this would mean another \$200,000 would come out of our general government.

Donna added both the town and school were asked to reduce their budgets by at least \$250,000. The town did but the school did not. The school didn't do it and they have the \$300,000 override and I find these articles very troubling. Selectwoman Hunt spoke about kids going to different schools. Selectmen O'Keefe talked about our school district needing more money. However everyone must live within the budget given. We are now at the point of 10% over net minimum. We had a goal of net plus 25%. The school needs more money but everybody needs to live within the money that is given to them. Maybe we can find a way to give money in the future in upcoming fiscal year and not filling holes in the prior fiscal year. Selectman O'Keefe said he would be hanged if promoting another override.

Jim said that special education costs \$164,000 normally that would have been absorbed through circuit breaker. On their defense, TMS wasn't here when the budget was built, they weren't here when the prior business manager said that there was a certain amount of dollars in the circuit breaker but that is not the case. They are coming in trying to do clean up. If they had understood circuit breaker they might have had money in the circuit breaker to cover these costs. They inherited someone else's projections and they are trying to do clean up. It still is \$240,000 out of stabilization. He talked about Selectwoman Hunt slapping him about the \$300,000 override with his position that it should go again to the school. Jim said it's that they asked they should get it. Selectwoman Hunts point is that's another \$300,000 the school is getting. Selectwoman Hunt talked about the extra costs to the general government funds is right at a quarter million between the two.

**Chairman Barrows asked to take a break and do permits with people who have been waiting.**

**Junk Dealers: Second Hand Articles Dealers License Renewals:**

2nd Impressions, 2 Juniper St. – Michelle Peterson came forward and said she had hoped Officer Walsh would be here. She got her real estate license and asked about withdrawing her application and just doing consignment. Jim said that unless the bylaw is amended, she needs to have a permit to continue doing what she is doing, including consignment. **A motion was made to move the applicant was made by Selectman O'Keefe. The motion was seconded by Selectwoman Hunt.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Pattie's Jewelry, Inc., 15 Central St.- Sherri Erlenmeyer came forward. Discussion was had about the warnings from the Police Dept. There was some misunderstanding of the process and now she understands. She has been on time now and is in compliance. She was informed that consignment items still require the paperwork. A suggestion was made to look to change the bylaws in the future. Selectman Barrows said this is a very well-known establishment. **A motion was made to move the applicant by Selectman Barrows. The motion was seconded by Selectman O'Keefe.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Daniel Brewer, 900 Lincoln Ave. – Linda Daigle reported that Mr. Brewer was not able to come to this meeting this evening. Selectman O'Keefe said his license has existed for a long time and shows no negative comments. **A motion to move the applicant was made by Selectman O'Keefe. The motion was seconded by Selectman Barrows.**

**BERNDT(Y)                      O'KEEFE(Y)                      BARROWS(Y)                      HUNT(Y)**

Ed's Scrap Metals, 64 Main St. – New Owner, Michael Vaillancourt – Selectwoman Hunt said that it is strictly under Ed's name. Burt Gould said it is. Burt surprised with this notice because license says it will expire in December 31st. Mr. Gould said that Mr. Vaillancourt is losing his hearing and would like to retire. What he would like is his son, Michael, who lives at 64 Main St. and have his name on the license itself. Nothing else will change. It is not an open air salvage license. He further pointed out that taxes are paid, the fee has been paid. There are no complaints from the neighbors or the police department. We would like to renew the license and insert the name of Michael Vaillancourt on the license as well. Burt would like to have it stay the same.

Jim said the issue a year ago was to find a way to grandfather Ed. Everyone said he shouldn't be doing that at that location and did what you could to grandfather Ed. The thing causing concern tonight was that Michael was going to be taken over individually. The paperwork says one thing. If Ed is listed on the application it will be ok. Selectmen Hunt asked about the location being messy. She said that if she was a neighbor, she would want the



business gone if and when he retires. She pointed out his son works elsewhere at a junk yard in Worcester. That was your business to put food on your table, not your son's and hopes it's gone when he retires. Mr. Vaillancourt said someone dropped a coupe pieces off and he will get it cleaned up. Selectman O'Keefe said looking at the comments, if we had Michael on here it triggers a new business. Selectman O'Keefe said no grandfathering. Selectman O'Keefe said that having Michaels name on it it's transferring ownership. Jim's way to expressly condition the permit of this business to grandfathered to Mr. Vaillancourt and his son. If it's about Ed as it's has been all along. Ed has to be listed as the applicant. Linda said the Dec. 31<sup>st</sup> expiration date is in our bylaw but the Town Clerk issues the license for the state license renewal date is May 1, 2015.

Selectman O'Keefe said that we need to modify our bylaws to match state statute. Selectman O'Keefe asked can we modify this application to be in Ed's name. Mr. Vaillancourt said that's ok. **A motion was made to move the applicant in Ed's name only was made by Selectman O'Keefe. The motion was seconded by Selectwoman Hunt. Jim said and to fix the bylaw with the state form before the next renewal.**

**BERNDT(Y)                    O'KEEFE(Y)                    BARROWS(Y)                    HUNT(Y)**

Selling KENO To Go – Kwik Stop Liquors and Gateway Convenience Market –Chairman Berndt read the notice from the Mass. State Lottery Commission. **A motion to move to take no action on this, therefore not objecting was made by Selectman O'Keefe. The motion was seconded by Selectwoman Hunt.**

**BERNDT(Y)                    O'KEEFE(Y)                    BARROWS(Y)                    HUNT(Y)**

At 8:01 back to Annual Town Meeting warrant and jump to the school articles;

Jim talked about double appropriating because it appears that there are two competing articles, he put his submittal in Article.12 to draw attention. The night of town meeting he won't be there and unless the \$3.866 in indirects are used to offset the total operating budget you are going to be \$3.8 million out of balance because you are going to appropriate in the general budget article in also here. Jim said it is here to make a point that it needs certain to be done; otherwise you'll be reconvening another Annual Town Meeting. TMS representatives said they are working on the indirect number and there needs to be that offset.

Article 13 – Monty Tech roughly over \$100,000 than last year. The number of students sent to Monty Tech has increased. Mr. Gould was at the Finance Committee meeting last Thursday. He did detail this reflects a number of students above our quota. Some communities don't send their quota. The names are put in a pool and picked. It's a blind process. It's basically a list of kids that want to get in and haven't gotten in the first cut. Students are rated. We do have twelve additional students above our quota which counts for the additional assessment.

Article 14 Transportation Budget, increase of \$110,000 than last year. Jim said that there has been a lot of discussion this early spring about bidding. There was discussion about when was it last reviewed/ routing. Are these still good routes? Who has eyes on those? Gail Smith, prior Assistant to the Superintendent and Evie Higgins would look at this and make certain they have the most efficient routing enough buses. The question raised publicly is has this been done. Andy Paquette of the School Business Office said someone is on staff that uses routing software that they will be using to see what efficiencies can be gained. They are exploring that. Also exploring if they purchase the fuel we wouldn't pay the sales tax. In the existing language of the contract we have the ability to do that. Selectwoman Hunt asked about picking up individuals within the state law. Andy said that he hopes this review of the routes, can address matter of school committee

policy. The definitions that the state has and also a safety factors that are addressed. Selectman O'Keefe said that this is an example of something fully in control of the school that the town pays the bills. He asked how we create a situation if the school can spend the energy and time saving money, can we share some money back to the school. We need to make sure it's on the radar all the time.

Jim said anyone 1 ½ mile radius beyond that have to bus. If we have an obligation for two miles and we pick up kids outside of that and on the route and there is room on the bus, then it's been policy to pick them up as we go by.

Article 15 – Jim said the School Committee might be asking to place this article at the beginning of the warrant regarding the deficit payment. This reflects the School Department taking the position, while they spent \$2 million in FY13 and FY14 of the \$3 million deficit, they did not know. The Town spent \$1 million not knowing of this \$3 million deficit. The debt payment .5% is \$315,000. The deficit reduction plan that you voted was sent to DOR on November 7th clearly stated that the school dept will pay its pro rata share of the deficit. There is a new Indirect Cost line item being the pro rata share of the deficit note that is where the \$207,833 is being accounted for and being billed to the schools. The school is saying we as a school don't want to pay our share. Jim Kreidler said he opposes it. It's misplaced to say it should be borne by the General Government budget. Jim said it should be looked at as a gift here. We are being loaned the money at next to nothing interest and letting us borrow this out of ten years if we need to avoid the crippling effects. The school can say that they didn't know it happened. Selectman O'Keefe said they didn't know about the health care trust issue, but the school over spent money they didn't have circuit breaker and the trust account. Andy said based on balances, flaws in MUNIS system, former Business Manager was looking at reports that said there was over a million dollars in circuit breakers. Selectman O'Keefe said if I took your checkbook you would know how much you have in it. The discussion was had on the error that occurred and the re-payment covers more than the health trust deficit. Jim said that there is a breakdown in their budget sheets, which shows the exact numbers that tie back into the school. Jim listed them. Its math \$3 mil 2/3 spent by net school eligible school department. The school committee takes a position that it is not equitable that their budget can absorb that costs. He believes it can. You spent it; you should have to pay for it.

Selectwoman Hunt talked about working together. She said that she was bothered watching the School Committee's last meeting. The discussion at the meeting was how they are going to try to finagle town meeting and move this article up front and to get the \$200,000. We need to work as a team. We have to come to an agreement that this has to come from the school side as she will support the \$300,000 override funding from last year. Jim Kreidler talked about the mechanics of changing the order of the warrant articles is something he brought up. He said if the General Government budget article passes and then the School Committee articles pass and then this article passing it would then mean the General Government budget is then out of balance and there would have to be a motion for reconsideration if someone on the floor was astute enough to do that to get back to the Town budget and then you would have to decimate the town government budget by \$207,000. Some function of your Town Government would have to be cut. You would have to do that on the fly on the floor and it's not a good idea and not the way to do business. He suggested to the School at a prior meeting if they go down that road to at least put it in the front of the warrant and call it what it is and inform the voters if you vote this, you are gutting general government budget \$207,833 out of the next article. He advised it is the Selectmen's decision where to place it in the warrant. If they don't, it can be ultimately moved on Town Meeting floor. He hoped it wouldn't come to that at Town Meeting recognizing the discussion they just had and the \$300,000 override they will receive and that the deficit was money they spent and should pay for. Mr. Paquette and Mr. Lockwood were thanked for coming.

Jim Kreidler returned to explain the articles prior to and after the School's Articles:

Article 4, and 5 – Usual and customary articles – the Senior Tax Work off Program for \$10,000 and the Community Action Committee article for \$18,000 to be paid by the overlay surplus.

Article 6 - GASB 45 article to fund \$7,500 for the required study.

Article 7 – “Usual and Customary General Government Budget Article” – Jim Kreidler stated the name should be changed because this article is not usual and customary. It is old schooled Department by Department as the Department of Revenue has required per the deficit note and legislation.

Selectman O'Keefe asked about on page 10 Finance Committee. Jim said the audit used to be in town accountant it is now under the Finance Committee. Jim said that the audit is now under the Finance Committee. Jim talked about supplemental stabilization account it is tied to the total operating budget. We are required by DOR. We can't touch it. Once we are out it will be rolled into the general stabilization. Selectman O'Keefe asked about audit. It shows under accounting expenses in the spreadsheet. Donna said that it doesn't fall under the 135. Jim will track it down to see why it doesn't show up their. Jim said it is interesting to note the accountant office has ½ time clerk position added. As a result of a number of things, \$70,000 pickup with the meals tax, housing authority standup put forth \$36,000 payment in lieu of taxes. Selectwoman Hunt thanked the Housing Authority and Dave Conner for helping us at that end. Jim said that snow and ice has increased. It has a \$58,000 increase over last year.

Selectman O'Keefe asked to jump to the bottom line. The FY15 \$9.3million revised FY16 \$10.9 million. Where did the extra million and a half come from? Jim said in warrant budget article wording on pg. 9, the line share of that, look at available funds box, you will see water, wastewater and transfer station indirects, that wasn't in the budget it was under the enterprises. The budget articles need to be reworded. The way it was being done, it wasn't inappropriate, but this is how the DOR wants to be done. Jim said that \$500,000 is in health insurance over last year. We are now at \$1.1 million. There is also \$60,000 snow and ice, \$20,000 in the part time position. If you look at the expanded version has this.

Selectman O'Keefe asked where the money is coming from. Jim said \$330,000 additional property tax Prop. 2 1/2, projected growth is \$75,000, then take the Housing Authority PILOT, \$70,000 meals tax, \$50,000 quarterly payment of Sun Edison. The additional comes with those indirects. The enterprise budget is now showing the full expense in the general government budget. When you get to the budget breakout for enterprise funds, you will see cells that are blocked out so that it jumps out at you. Those have moved out; they are carried in the indirect line and the full expense is in the operating budget. Jim said that for 7 years you have not increased the water / sewer rates. He proposed in the past rates vote 2 ½ % each year unless a vote is to not raise. This budget increases a 6% increase in water/ sewer. Jim explained the past budget reports, what used to be called reserved for betterments. Selectwoman Hunt asked about paying off the landfill to save. Jim said that he heard clearly to not go down that road. To refresh your recollection, when we sold we took in a certain amount of money to cap the closed landfill. We have roughly \$900,000 in that account if we prepay it will cost \$254,000. There is an article in the warrant that is not yet final that contemplates using \$85,000 for infrastructure investment to pay the note. There is nothing that stops you from changing it to say \$254,000 to pay the note. Donna was asked what she thought. She felt she'd like to see the small increment. Selectman O'Keefe said we would pay off

the note and get the savings but not withdraw Pay each year it costs \$85,000 a year. If we do this it will cost us \$404,000. If we pay now we save \$150,000. Selectman O'Keefe said pay it down and leave the money there. There would be more money there by paying it early. Donna said you are also reducing amount you have in reserves. And that always has an impact. Selectman Barrows asked SRF, 0% interest loan, make payments over a 20 year period, use interest amount we would, there would be roughly \$1millio in that account. If there is an opportunity to save \$150,000 it makes perfect sense. What potential will we lose in interest? We will only earn x in interest for the remainder of the loan. Selectmen Hunt said the concern is if you take all the money and something breaks then we don't have any money to take care of it. We are down to once a year sampling and it is looking really good that the capping is working. We can save the town \$160,000. Jim said he spoke to the bond agency, it's how you present, if you explain to bond agency why and present why, we have a good opportunity to save. Tell the story when you are being reviewed. The \$85,000 is in the article already, the warrant is not finalized, and we can change \$85,000 to \$254,000 if you want to. Selectman O'Keefe thought with everything else going on maybe this is not the time to do this. Selectman Barrows thought it makes perfect sense. They polled the audience. Most raised their hands to pay the whole thing. Selectman Barrows said that we are not depleting the account.

Kevin Miller came forward, the 400,000 is already spoken for. You are trading off paying \$254,000 for the \$400,000. We are going to have less sitting there but more free money. The consensus is to adjust the budget accordingly. Selectman Barrows and Selectman O'Keefe will speak as citizens at meeting.

Article 8 and 9 - Water/enterprise and wastewater enterprise - Jim and Donna will sit together and get wording. He will bring a recommendation of what the water /sewer rates should be.

Article 10 - Jim attention to art. 10, Jim said that we have run a deficit at the transfer station for a couple years. Jim talked about bag rates, there is no raising revenue. John Deline came up with to reduce the number of days the transfer station is open. The days it would be open are Fridays and Saturdays. The savings in staff time roughly get at that \$20,000 deficit we've been experiencing. This article contemplates the Transfer Station open two days a week not three. The third day being eliminated, clearly Friday and Saturday is the heavier use. There is no time loss for employees. You have two weeks to finalize this. Selectwoman Hunt wants to inspire people to use the landfill. The guys are great. Selectman O'Keefe said if we cut the costs, the bags, more people will go. Jim said that's the gamble it has to cover it. Jim said you can subsidize with the general fund. We can carve the money out. People have left; have been accustomed to wheeling the tote to the curb. Ask the people if they want to have municipal trash service. Jim talked about proposal in 2004, to bring and return and provide trash pickup. He got crushed. It was brutal. Selectman O'Keefe thinks at the next town meeting, we should put a warrant article and let people decide.

Jim said that Articles 11-15 were already covered.

Article 16 - We need to revote the legislation capital stabilization. It didn't go through state and needs to be redone.

Article 17 - Julie White's contractual sick leave buyback of \$13, 999.05. It is raise and appropriate.

Article 18 - Roselli and Clark change order of \$45,100. We had an annual audit budget of \$35,000. We didn't direct the work but we are stuck with the bill.

Article 19 – This article is for prior year unpaid bills. There has to be a 4/5 vote.

Article 20 – This is the TIF for Brandywine Farms.

Article 21 – This is the West St. and Harris Road that we discussed earlier.

Article 22 – This article is to pay for the easements that are required if any. They are relatively minor.

#### General Bylaw Articles

##### Article 23 – Audit Committee

Jim said this is the first time in his years how an audit is handled. The auditor does it works, it is then presented in draft; the next step is that any department gets a chance to discuss and then the town accountant will then present it. This is how this is done. This changes as it goes forward. We want to include more people; he thinks it's a mistake. Selectman O'Keefe said that in paragraph one you can delete the last three words. It is redundant. Ruth said it is that way in case of vacancy.

Article 24 – This is to create a Group Insurance and Benefit Committee.

Article 25 – This is a Multi-Unit Residential Rental Property Registration - It requires a property owner to do things, and a mechanism to fine them. Selectman O'Keefe asked what the definition of a multi-unit is. It would be plural and a rental. Jim said he didn't write it, it came from another community. It was from a college town and a greater sense of concern or control. Selectwoman Hunt asked who will speak about this. Jim said Mr. Cloutier has been involved and interested. I would expect he would love to speak on this.

Article 26-Historical Article-Amend the general bylaw by adding the following. I haven't seen the text yet.

Article 27-32 is the Zoning bylaws. We will hear from Planning when it is appropriate.

Article 33-This is a citizens petition. This article is to form a five person committee to review the town's bylaws and charter.

**A motion to accept the warrant was made by Selectwoman Hunt. The motion was seconded by Selectman Barrows.**

**BERNDT(Y)**

**O'KEEFE(Y)**

**BARROWS(Y)**

**HUNT(Y)**

#### **Miscellaneous Updates continued-**

**Memorial Naming-** Jim Kreidler reported he has been in a discussion with Dr. Coral Grout regarding the prospect of naming the intersection of Spring and Glennallen---the gateway intersection to the Massachusetts Veterans Memorial Cemetery--- after her late father, our long serving Veteran's Agent and Moderator, Charles Grout. Now former Superintendent Deline filed a Robinson-Broadhurst grant application and was successful in receiving funding to make certain improvements to the triangle island at this location. The improvements will involve landscaping

and the creation of a raised landscaped feature with an electronic scrolling sign which will be used for Town related information. I would like to propose that you go on record with a vote this evening in support of incorporating the naming of this intersection/area after Charlie. He said other intersections have been named after veterans and this would be appropriate with the Veteran's Cemetery up the road and Charlie being the first one interned there. **A motion to move for the Board to do so was happily made by Selectman O'Keefe. The motion was seconded by Selectwoman Hunt.**

**BERNDT(Y)**

**O'KEEFE(Y)**

**BARROWS(Y)**

**HUNT(Y)**

**ADJOURNMENT:** With no Executive Session being called this evening, **Barrows moved to adjourn; Hunt seconded.**

**BERNDT(Y)**

**O'KEEFE(Y)**

**BARROWS(Y)**

**HUNT(Y)**

The meeting adjourned at 9:22 p.m.

Recording Secretary,

Debra Dennis