

**TOWN OF WINCHENDON
BOARD OF SELECTMEN MEETING AGENDA
TUESDAY, SEPTEMBER 15, 2015
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.**

Present: Michael Barbaro, Chairman
Barbara Anderson, Vice-Chair
Audrey LaBrie
Amy Salter
Austin Cyganiewicz

Bernard Lynch, Acting Town Manager
Linda Daigle, Executive Assistant
Debra Dennis, Recording Secretary

List of Documents Presented at Meeting:

- All Alcohol Liquor License Transfer/Pledge Application – Shri Gurave LLC, d/b/a Kwik Stop Liquors, 18-20 Railroad St. (filed)
- Pole Petition – Happy Hollow Road (filed)
- Fall Festival Flyer and Schedule (attached)
- Board of Selectmen Board and Committee Vacancies (filed)
- Road Race Permit – Clark Memorial YMCA – 5K Zombie Run Oct. 24, 2015 (filed)
- Major Land Conservation Project – 19th Hill Old County Rd. Area
 - o Draft amended letter of support dated 9.15.15 (attached)
 - o Map of Project (attached)
- Report of the Acting Town Manager (attached)
 - o Letter dated 9.10.15 to School Committee Chair Dawn Harris regarding TMS Solutions Contract (attached)
- Minutes Approved:
 - o Monday, August 24, 2015, Joint Meeting with FC/SC and DOR
 - o Monday, August 31, 2015, Regular Meeting

Chairman Barbaro called the meeting to order at 6:30 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.

Announce audio/video recording disclosure - When asked by the Chairman if anyone would be audio or video recording the meeting this evening, there was no response.

PERMIT/LICENSE APPLICATIONS, HEARINGS:

LIQUOR LICENSE PUBLIC HEARING: TRANSFER OF LIQUOR LICENSE / PLEDGE OF LICENSE - Shri Gurave LLC, d/b/a Kwik Stop Liquors, 18-20 Railroad St. The Public Hearing was opened at 6:30 p.m. Mr. Shiplu Saha and Mr. Jasminkumar Patel came forward on the application. Chairman Barbaro read into the record the Public Hearing Notice. Selectwoman LaBrie commented that the food establishment permit is not transferrable. Mr. Patel said he would obtain one once approved by the ABCC. Chairman Barbaro asked if everyone is TIPs certified. Mr. Patel said he would get those TIPs

certifications before the ABCC approval. Selectwoman LaBrie asked if there would be any changes to the layout or hours. Mr. Patel replied, no. Chairman Barbaro asked if anyone else would like to speak on the matter. There was no reply. **A motion was made by Selectwoman Anderson to close the public hearing. The motion was seconded by Selectwoman Salter.**

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

A motion was made by Selectwoman Anderson to approve the transfer of the liquor license from Kwik Stop Liquors to Shri Guarve LLC, d/b/a Kwik Stop Liquors. The motion was seconded by Selectwoman LaBrie.

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

A motion was made by Selectwoman LaBrie to approve the pledge of license as provided. The motion was seconded by Selectwoman Anderson.

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

POLE PETITION PUBLIC HEARING – Happy Hollow Road – 1 SO Pole, No. #18970051 –

Selectwoman LaBrie read into the record the Public Hearing Notice. Mr. Ken Doby from National Grid came forward. He said we are proposing a mid span pole between poles 12 and 13 to act as a getaway pole to line up with a driveway of a new home and to go down the driveway with additional poles on private property. Chairman Barbaro asked if anyone else wished to speak. There was no one. **A motion was made by Selectwoman Anderson to close the hearing. The motion was seconded by Select-woman Salter.**

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

Selectwoman LaBrie asked if there were any concerns with DPW. Linda Daigle said there were no concerns. **A motion was made by Selectwoman LaBrie to approve as presented. The motion was seconded by Selectwoman Salter.**

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

SELECTMEN'S COMMENTS:

Selectwoman Anderson thanked the Winchendon Fire Department for sending a fire truck to the Royalston 250th parade.

Chairman Barbaro thanked the Fire Department they had a hectic week last week, fighting brush fires. He said they are hard working; we do have a lot of volunteers.

PUBLIC COMMENTS AND ANNOUNCEMENTS:

Susan Cochran, 29 Juniper Street and Sandi Thibodeau 23 Maple Street Winchendon came forward. They asked what has been done on the petition. Ms. Cochran said she has called the Police Department from home. She said she hasn't seen any additional patrols. Mr. Lynch said he saw the petition and notified the departments and is following up on leads. He stressed that there are some elements of the petition that are

not appropriate in terms of asking the town to order the tenant out of the building. That can't be done. That would be a civil matter involving the tenants and their landlord. He said this requires everyone staying on top of it. He said some legal work is being done on this by the town attorney, Mr. Lynch said you have to make sure it is legal, appropriate and can stand up. Ms. Thibodeau said as a community we are sick of this. She said as a tax payer why should we put up with this. Mr. Lynch said there are laws that protect everybody. It needs to be done by the book. Selectwoman LaBrie asked if they should file a written report. Mr. Lynch said a report is helpful. He said it takes patience. Ms. Thibodeau said the frustration and anger we feel is unbelievable. Chairman Barbaro said we should ask police to step up enforcement of people who don't belong there. Mr. Lynch said it's not that simple how do you know who doesn't belong there. Ms. Cochran asked what the time frame is. Mr. Lynch said it could take one day or months. We will improve communication with the neighborhood.

Cyndi Cloutier, 19 Webster Street, said she was here for the same reason. She would like to know what Winchendon is doing to combat the drug problem. Selectwoman Anderson asked if the state has released funds for this and if we have gotten any. Mr. Lynch said Winchendon isn't unique with this problem. He said no funds have been released yet; we will follow up on that. Mr. Lynch said citizens have to deal with the problem. He said it takes a community to be involved and diligent to notify us. Ms. Cloutier said she doesn't want to deal with them in her yard. She said she has contacted the police and she said she was told by police to shut up and mind her own business. Mr. Lynch said he would address that response but that everyone has rights and that needs to be protected. Chairman Barbaro asked the Town Manager to form a Community Action Group with police. He said the school has programs to address social issues. He said we need some joint partnerships. Ms. Cloutier thanked them for their time. She was also thanked.

Lionel Cloutier, 19 Webster St., came forward and informed the Select board that he is trying to start a neighborhood watch. He said he has talked with the Police Department about it.

Rick Lucier, 236 Maple St., came forward with questions and concerns about the Ingleside project. He asked to read them out loud and the Select board could get back to him on what is going on. He asked who will maintain the property, if it will be added to the Parks and Recreation budget. Who will be cutting the lawn, plowing the road, patrolling the premise, upkeep of buildings, heating the buildings and restricting access of the property? What will be the town's liability especially if they have a boat ramp? What does the DOR think about adding cost to the town given our financial situation and once it becomes the property of the town, then the debt becomes the property of the town, the upkeep. He said we need a lot more road repairs and other upgrades ahead of more liability in wanting a piece of property. He said he knows it's a good project and a concern for a lot of citizens and a chance and an opportunity. He stated he lives across from the property for 37 years and didn't think anyone wanted to buy it concerned it might be wet and there were downfalls to the property. He doesn't want to deter some of the use, but some of it is not adequate to what they are putting forward. He asked what the DOR thinks about the project or if they even know. What they think about trading services for the property. He said we have to take a hard look at this. This is going to cost the town a lot of money and upkeep in the future but the police are going to have to patrol that road. You can't see them buildings from Maple St. The roads will have to be plowed. There is access on Elm St. Kids go in there. How are they even going to monitor 42 acres of land without problems? There are lean-tos out there; a couple homeless people. His biggest thing is he doesn't want to see the area ruined for the wildlife. He watched two deer playing last night. All of this is going to get displaced. There is a lot of work; if they want a ball field, they have to clear and cut, they want boat ramps. Do you have any idea the exorbitant cost to have to bring into this property just to bring it to a level to use? Yet we have roads that are in disarray. And how is all this stuff going on behind the

scenes. Where is the transparency and where these things are being done without anybody knowing about them other than the school and maybe some stuff going on at the Town Hall. This is ridiculous. Our resources are to fix our roads. Take a ride on River St. The roads out there are horrendous. He wanted some of this brought to forefront as to who's doing it, why are we doing it, and now is not the time in our financial situation.

Chairman Barbaro said he would refer the DOR question to the Town Manager. He said the Ingleside project is probably a 20 year project and it's not going to happen overnight that he's right there is no funding. Mr. Lucier said it's a huge problem. Mr. Barbaro said he's not arguing the point; it is hoping to be a public/private partnership down the road. That is what they are striving for. They have sought grants to do site work outside of town money. The property itself, he thought was worth over a \$1 million, not sure, but we will get it for a \$1. Once we own it, Town Meeting will get to decide what we do with this property. Mr. Lucier asked about the dam needing to be fixed. It's hard to have a nice boat ramp and recreation if no water. Chairman Barbaro said this is a concept idea and is 20 years out. A group of people are driving the concept. Chairman Barbaro said he's not condoning it but explaining.

Mr. Lynch said this is a concept, a conceptual plan right now. He said how it takes place, whether it takes place, that is going to take some time and some decision making with this board, town meeting, others. He said any town employees working over there right now are doing so because of the event coming up for the community, given permission, on their own liability and same as working anywhere. To your point, you raise good questions that need to be asked by the town but the town isn't ready to take those on yet because we don't have all the information yet. He shares the idea of how we will maintain it, how we balance this against the infrastructure needs of the town, those things are months away, months to twenty years away. It's a very ambitious proposal that's being generated and thought about. Mr. Lucier was concerned about plowing in the winter. Mr. Lynch replied if you get a piece of property that is worth \$650,000 to a \$1million and you have to set the plow down ten to fifteen times a year. Mr. Lucier is concerned that funding might come out of the Parks and Recreation budget and maybe they will not be able to have their summer concerts? Mr. Lynch said that's true and his thought but ultimately this is the town that is going to make the decision. Chairman Barbaro thanked him and said he'd make sure some of this stuff was responded too.

Mr. Steve Hoslander, Spring Street Route 12 came down. He said he had a water break on a service line. He said he was luck it was only 3 1/2 feet into Route 12. He said if it was more it would cost thousands of dollars. He said he is curious how the town expects home owners to come up with this money. He said there is a bylaw that says homeowners are liable to the water main. He said it is hard to understand how a citizen can pay for it. Chairman Barbaro said we are looking at our bylaws and you should bring this up to them. He said the first place to start is with the Bylaw Committee. Mr. Ward said the next meeting is September 23, 2015 at 3 p.m. Mr. Lynch said I have materials on my desk to look at this concern.

Chairman Barbaro announced the Fall Festival Schedule of Events at Ingleside on Saturday, Sept 26th.

He next announced the Clark/YMCA 5K Zombie Run on October 24, 2015. He said to also check the school website for posted events.

APPOINTMENTS/RESIGNATIONS:

Joint Water Authority Appointment – Mr. Lynch said in past history it was held by a variety of people in town. He said there is a meeting October 14th consisting primarily of financials. He asked if the Select board would like to take up now, or take up again on September 28th. Selectwoman LaBrie stated a noon time meeting makes it difficult, she would not be able to make it. Selectwoman Salter could not make it. Chairman Barbaro cannot make it. Selectman Cyganiewicz said historically in the past it was the Town Manager; he prefers the Town Manager to do this. **A motion was made by Selectman Cyganiewicz to appoint the Town Manager as the Joint Water Authority Representative. The motion was seconded by Selectwoman Salter.**

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

Board of Selectmen – Boards and Committee Vacancies – Chairman Barbaro read the list of vacancies.

PERMIT/LICENSE APPLICATIONS:

Road Race Permit – Clark Memorial YMCA – 5K Zombie Run Oct. 24, 2015 - Julie Whitmore was present on behalf of the Clark/YMCA. She said the 5K race is the same route used for the Morin 5K race. She said it will start and end at the Clark Memorial lower parking lot. She said this one is themed, on the bike path last 8th of mile we have volunteers dressed up as zombies. She said they will be having the kids Halloween Party afterwards. She said she spoke with the Board of Health agent and is cleared. **A motion was made by Selectwoman LaBrie to move to approve. The motion was seconded by Selectwoman Salter.**

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

Selectman Cyganiewicz asked about the Lieutenant's position. Mr. Lynch said we moved people up. Selectwoman Anderson said she was not informed of the Lieutenant. She said we need to revisit that.

BOARDS/COMMITTEES/DEPARTMENT HEADS: N/A

NEW BUSINESS:

Major Land Conservation Project – 19th Hill Old County Rd. Area

- David Koonce, Conservation Agent and Janet Morrison a representative for the North County Land Trust came forward. Ms. Morrison said the Gardner to Winchendon Landscape Connection Project is eligible for a grant. She said some of the land is located in Winchendon. She handed out a map. Ms. Morrison said we need the following from the Select board which is a motion affirming its support for the project, She said it made sense to have Winchendon be a part of the project. She said we know it is no secret you're in no position to provide any money. We think this is a way the town could participate as partner in project, which will make it both a stronger project, and a stronger application for the grant program. She said what's being proposed to the town is you would turn over the Winchendon town forest to the care and control of the Winchendon Conservation Commission. It would stay as town owned land under the towns care, it will be protected permanently. She said these types of projects and grant applications that are being proposed they are trying to get the Select board support for the projects and grant application. She said the turnover would require a town meeting vote. She said North County is excited to work in Winchendon. Chairman Barbaro said looking at the map are you looking to buy these properties. Ms. Morrison said in some cases buy and in some a conservation restriction. Selectwoman

Anderson asked for clarification they would have to transfer land over to the Conservation Commission. David Koonce said yes, we need a commitment for the Select board to support the project and then town meeting approval. Chairman Barbaro asked how many acres is the total project. Ms. Morrison said it is now 800 acres. **A motion was made by Selectwoman LaBrie to approve and give full support.** Linda Daigle mentioned the change to the letter just brought before the Select board. **A motion was made by Selectwoman LaBrie with the revised letter to approve and give full support. The motion was seconded by Selectwoman Salter.** Selectwoman Anderson said she didn't think there was enough information and understands there will be more after they apply. She said it seems vague and tangible. David Koonce said all that information will be available with the grant application, narrative and all the properties will be part of the application which is due September 30th. He said things are still in negotiation. He said in a couple weeks it will be available as public information. Ms. Morrison said they could wait until the next Select board meeting on the 28th but would have to overnight the grant application which has been done before. Chairman Barbaro said he felt he wants more details; he said he feels uncomfortable putting his name on it. He asked Selectwoman LaBrie to delay the motion. Selectwoman LaBrie said no. She said she understands it and is comfortable. Ms. Morrison said she understands but at some point you need to trust us to work with the Conservation Commission. She said you still have the town meeting vote. Selectman Cyganiewicz said he only has one question, why wait. He said what are you afraid of. We are not losing the town forest; it's going to the Winchendon Conservation Commission. Ms. Morrison said she will have a narrative complete by September 28th and will provide the full application. David Koonce asked about the Select board giving authorization for the Town Manager to sign the application and it was agreed he would.

BARBARO(A) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)

OLD BUSINESS: N/A

ACTING TOWN MANAGER'S REPORT:

Mr. Lynch said he has nothing to add to his written report. He asked if anyone had any questions. Chairman Barbaro asked about the Town Manager search while he was waiting for any questions from the Board. Mr. Lynch said the search is going well; we are up to close to 25 resumes. He said not all are qualified but a good number are. He said we are attracting good numbers from Massachusetts, a couple from New Hampshire, Alaska, Oregon, California and a couple other states. Mr. Lynch said we stop accepting applications on Thursday the 17th and will go through the resumes, pull the ones qualified and hand over next Thursday with commentaries to the Town Manager Search Committee which will be done in executive session. He said we will follow up on the 29th of September and narrow the application down to 7-9 candidates to interview. Mr. Lynch said we will be doing interviews the first couple weeks in October to narrow the applicants down to 3-5. He said we will then turn them over to the Board of Selectmen at the end of October. Mr. Lynch said we should have the selection made by the Select board soon thereafter. He said everything is on track.

Selectwoman Anderson expressed her concern with Harpers Payroll. Selectwoman Anderson thinks we should address the article in the newspaper. Mr. Lynch said the company is in place doing the job for us. He said payroll records are the best they have been. He said we have auditors here; the issue arose in books with reconciliations from a year or so back before Harpers was bought in. We have had many issues addressed having Harpers here. Mr. Lynch said down the road we can address the pros and cons of

bringing payroll in house. He discussed the problems the town has had implementing Munis and he thinks we need to get that up and running before we take on payroll. Selectwoman Anderson asked about the upgrades to Munis. Mr. Lynch said that will take time. Selectwoman Anderson said when she attended a Finance Committee meeting she heard the town paid extra for payroll. Chairman Barbaro said he is not a fan of Harpers but we need to do a cost analysis. Selectwoman Anderson asked if we need an upgrade to do payroll in Munis. Mr. Lynch said we have a payroll module now with Munis. He said they could do it before. He said Harpers has done a good job by us, it's not just having additional staff numbers to do the work. He said it goes beyond that such as staying up with tax changes. Selectwoman Anderson said she would like to use as much of Munis as we can. Mr. Lynch said we need to get the base in place then work from there. He said it is because we had people in place that weren't using all the components.

Selectwoman Anderson said she noticed on Facebook that Brandywine Farms is becoming a tax exempt. She asked what does this mean. Mr. Lynch said he wants to look at some aspects of this to determine what discussions we should be doing here in open sessions and what we should be doing in executive sessions. He said we have been having issues regarding specifics of the project we can't seem to nail down. These are regarding elements of the project, regarding phasing's, what they are specifically asking from the town and the cost of the project. He said on Facebook it says its seventeen million dollars and we have been told six point five million. He said some other issues are tax exempt or not and flow issues/rights. He said another is issues with lake and use of how residents are dealing with weed growth and how the town manages that, issues relating to dam and who controls that. Mr. Lynch said there is a request for abatement for Brownfield remediation they have requested. This is before any abatement which we want to ensure it will be cleaned. He said there are a lot of questions we have that we want nailed down before we proceed. He informed the Select board they would be getting copies of correspondence and that they may be having discussions in executive sessions.

Selectwoman LaBrie asked Mr. Lynch to touch upon his report for the audience and for people watching at home. He ran through his report:

1. Financial Updates-

a. FY15 General Government Budget – The books have been closed and the outside auditors arrive this week We expect they will be finished by late October/early November in order to process the Recap for the DOR.

b. FY16 General Government Budget- We are finalizing the changes needed to balance the FY16 budget through Town Meeting actions. He hopes to set a date for Fall Town Meeting and have articles he would be submitting at the tri-Board meeting coming up.

2. Health Insurance- The Insurance Advisory Committee will be meeting to receive a proposal for modifications to our health insurance program. Following this meeting, the collective bargaining units will be asked to form the Public Employees Committee in which negotiations will occur.

3. Personnel Updates- There are no personnel matters to report at this time but he will check into the update on the Police Dept. changes.

4. Project Updates- There are no project updates at this time. The sub-bids were opened on the Police station today but he can't really report anything at this time.

5. Miscellaneous Updates

- a. School Business Management Contract:** Mr. Lynch said he spoke to Mr. Lockwood this evening about the School Business Management Contract about some issues they were trying to work through. The School Committee had some concerns in regards to TMSolutions. That has been resolved in terms of payment to TMSolutions and he is still hoping they can work out some language issues with the contract
- b. Brandywine:** Already discussed this evening.
- c. Harpers Payroll:** Already discussed this evening. Ms. Anderson asked Mr. Lockwood the makeup of TMSolutions. He replied that he was the CEO and that TMSolutions is a small Massachusetts firm with ten employees and currently provide the school business management services for about thirteen communities right now. All but one in Massachusetts with the one in Connecticut.

TOWN MANAGER SEARCH UPDATE: Already reported on.

MINUTES:

A motion was made by Selectwoman LaBrie to release the April 27, 2015 executive session no 1. The motion was seconded by Selectwoman Salter.

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

A motion was made by Selectwoman Anderson to accept the minutes of August 24, 2015. The motion was seconded by Selectwoman Salter.

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

A motion was made by Selectwoman Anderson to accept the minutes of August 31, 2015. The motion was seconded by Selectwoman Salter.

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

COMMUNICATIONS: N/A

AGENDA ITEMS:

Chairman Barbaro said the next Board of Selectmen meeting is September 28, 2015 which will be a joint meeting with the School Committee and the Finance Committee. Selectwoman Anderson said she might be late for the meeting. Chairman Barbaro said if you have question to forward them to him.

The Select board discussed the first October meeting of the board which would be on the 12th which is a holiday. The Select board decided to have the meeting on October 13th.

Chairman Barbaro announced the Open Meeting law Training which will be held on September 30th at 6:30 p.m. He said all boards are invited. He asked if the meeting could be changed to 7:00 p.m. Selectwoman LaBrie asked if it would be recorded. Chairman Barbaro said we can do that.

Selectwoman LaBrie discussed the MMA Fall Conference and would like to know if anyone would like to car pool.

ADJOURNMENT:

A motion was made by Selectwoman Anderson to adjourn the meeting. The motion was seconded by Selectwoman Salter.

**BARBARO(Y) ANDERSON(Y) SALTER(Y) LABRIE(Y)
CYGANIEWICZ(Y)**

The meeting was adjourned at 8:40 p.m.

Respectfully submitted;

Debra Dennis