

TOWN OF WINCHENDON
BOARD OF SELECTMEN MEETING MINUTES
MONDAY, FEBRUARY 15, 2016
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.

Present:

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

Keith R. Hickey, Town Manager
Linda Daigle, Executive Assistant
Donna Allard, Town Accountant
Debra Dennis, Recording Secretary

List of Documents Presented at Meeting:

- Metropolitan Planning Organization (MPO) Selectmen Volunteer information (filed)
- 2017 Bonfire Permit Application – American Legion Post 193, 295 School St. (filed)
- Draft Letter to ABCC regarding Termination of Pending Liquor License Transfer - Shri Gurave, LLC, d/b/a Kwik Stop Liquors, Updated Form 43 (filed)
- Brandywine Farms Presented Documents:
 - o Brandywine Farms at White’s Mill Pond Timeline (file)
 - o Letter dated 12/21/15 from LEE Energy Group to Brandywine Farms re: Letter of Intent to Build 1 MW Solar System with attached Purchase Cash Flows (filed)
 - o Brandywine Farms Available Tax Credits spreadsheet (filed)
- Memo dated 2/4/16 from Town Manager re: Naming of Streets in the Upper Riverside Cemetery and Sketch of Cemetery (filed)
- Fiscal Year 2016 Financial Documents: (filed)
 - o Memo from Town Accountant dated Feb. 4, 2016 including Notes on Documents presented
 - o Town Accountant Notes
 - o YTD Expenditure and Revenue Reports for Town and School
 - o General Ledger to Cashbook Reconciliations – July through Dec. 2015
- FY17 Capital Improvement Plan (filed)
- Report of the Town Manager (attached)
 - o Update to the DOR’s July 2015 Financial Management Review Presented by the Town of Winchendon to the State Dept. of Revenue dated Jan. 2016
- Minutes Approved: (filed)
 - o Tuesday, January 19, 2016 – EXECUTIVE SESSION
 - o Monday, January 25, 2016 – Regular Meeting

Chairman Barbaro called the meeting to order at 6:32 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.

SELECTMEN’S COMMENTS:

Selectwoman Salter said an Audit Committee meeting is scheduled for Wednesday and she can't make it. Mr. Maillet is aware of it. She asked if anyone could go in her place. She wasn't sure if Danielle Hart would be making it either. Selectwoman Anderson said she could attend the meeting at 4:00 p.m. Selectwoman Salter said there will be nothing voted on at that meeting.

Chairman Barbaro spoke about the Community Compact program signing on Thursday held in the library in Athol. He said it will help in providing us resources for our financial policies. He met with the Lieutenant Governor. The announcements are encouraging out of Boston with setting up a Chapter 90 fund for local bridges. He said the state has decided there are a lot of bridges that need repairs so they are putting out more funds; he said it will be ten million a year for the next five years. He thanked the members and the Town Manager for attending as well as the Lieutenant Governor.

Selectwoman LaBrie elaborated on the Community Compact program Governor Baker's office put forward. She said it is open to all cities and towns in Massachusetts. She said you can choose three best practice items you feel your town needs assistance with. Mr. Lynch sent them economic development, human resources and financial planning. She said it is a funded program and we get extra points when applying.

PUBLIC COMMENTS AND ANNOUNCEMENTS: There were none.

APPOINTMENTS/RESIGNATIONS:

Request to add alternate members to Community & Economic Development Steering Committee:

Mr. Hickey said the Steering Committee has asked for a couple of alternates to be added to the committee.

Selectwoman LaBrie moved to allow two alternate positions be added to the Community & Economic Development Steering Committee. Selectwoman Salter seconded.

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

Metropolitan Planning Organization (MPO) Selectmen Volunteer:

Linda Daigle explained what is being asked from the MPO organization. Selectwoman Anderson offered to be the volunteer and attend the meeting for the selection of the representatives from the region.

PERMIT/LICENSE APPLICATIONS:

Request for 2017 Bonfire Permit– American Legion Post 193, 295 School St.

Mr. Fran Murphy came forward for the 4th bonfire permit. Mr. Murphy said they burn Christmas trees and wreaths from the Veterans Cemetery. They have a meal and will have fireworks again. He said over 25 businesses and individuals donated for fireworks and they have a bit of seed money from last year. He said they raised \$2,500 for the fireworks. He said various groups in town come together for this. He said they served 223 meals and it turned into a big event and people look forward to it. He said "As you know there is only one permit for a community and that is why I am here early." Selectwoman Anderson said she went this year and it was wonderful, well done and very organized. **Selectwoman Anderson moved to approve the bonfire permit. Selectwoman Salter seconded the motion.**

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

Termination of Pending Liquor License Transfer - Shri Gurave, LLC, d/b/a Kwik Stop Liquors, 18-20 Railroad St. – Chairman Barbaro said we approved this transfer pending the sale of the property. This transaction has fallen through and the Board needs to terminate the prior approved transfer. Selectwoman Anderson said **“I move to execute the enclosed letter and Form 43 listing Vasta, Inc., d/b/a Kwik Stop Liquors, located at 18-20 Railroad Street, to be the current license holder, ABCC License Number 148400024 and to terminate the pending issuance of the license to Shri Gurave, LLC.”** Selectwoman LaBrie seconded the motion.

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

NEW BUSINESS:

Brandywine Farms – Update from Property Owner – Amelia and John Giovanoni came forward. Mr. Giovanoni passed out the timeline of the Brandywine Farms at White’s Mill Pond project. Ms. Giovanoni said there is good news and bad news. She said looking at the good news they have qualified for those tax credits in excess of \$14 million dollars on the White’s Mill Project.

She said the bad news is that they are kind of in a situation with the town. She said she wants to have a better relationship with the town. She said if she asks a question it seems to go everywhere. She called a bit ago as she had a gentleman that wanted to have tiny houses on the property. She said she called to ask two questions: how many homeless and how many houses she can build. She said the gentleman builds them and sells them. He wanted to lease. She said they’re all modular now. She said she called and asked what was needed to do. She said she called one person and was told to ask Tracy Murphy. She said she didn’t have a good working relationship with the prior Town Manager and was also accused of bribing a town employee.

She said they presented the maps done in 1973. This one is a subdivision. She wants them to be on the same page so there is no misunderstanding. She said when they bring the investor in and applying for tax credits, you have to convince them of a viable relationship with the town. She said they have to know what set of guidelines they are working under.

Mr. Hickey informed the Select Board of the Town’s stand and point of view. In his two months he has had conversations verbally and through email with John and Amelia about the project. He said staff is excited to work with them and see that property come back to life in a different form. He said what we have tried to indicate to the property owners are that we need a site plan for us to consider. He said you can develop a project in a phased-in approach. He said that first and foremost we need a site plan to go before the Planning Board. He said the Building Inspector has identified four issues. He said he knows that one is done and that is the permit for the second egress. He said the other three are a sheet metal permit is needed for heating & cooling duct work systems, an electrical permit is required (will be updating in building 9) and an occupancy permit for building 9 signed by the Building Inspector once all improvements have been made. He said then building 9 would be fit to be used.

Ms. Giovanoni said that will not be a problem. Mr. Hickey said he does not doubt that John and Amelia Giovanoni will complete the applications as needed. He said the Planning Board needs to have a site plan, adopted by the Planning Board and until that is done, except for building 9, nothing else can be done. Mr. Hickey apologized if they feel they are not getting the support or cooperation of the town. He said he has a

different opinion. He thinks they have bent over backwards for them and has told them a site plan needs to be submitted.

Chairman Barbaro asked them when a site plan can be given to the Planning Board. Ms. Giovanoni said operating under Planning Board guidelines and under bylaws for subdivisions they provide a sketch plan to the Planning Board, they review it and then go back with them for completion of a plan. She said they did the sketch plan and are waiting to hear back.

Chairman Barbaro said tax collection needs to be paid. Mr. Hickey said the agreement is in with the town's plan. Ms. Giovanoni said her attorney is working on it and will come before the board for your consideration and approval, for the tax abatement.

Mr. Hickey said he is not sure on the rationale on why it was not accepted and would be happy to get a list of deficiencies from that submittal if we haven't done that already and will try and get this moving. He said he will identify the issues specifically and provide it to them so they can address it with their initial submittal and how they will move forward.

Chairman Barbaro asked for a comprehensive site plan, and then bring it to the Planning Board. Chairman Barbaro said he will research the rules of the subdivisions. Ms. Giovanoni said the site plan is developed in phases. She said they have to wait for the solar farm to be engineered. She said they know what they want, they have an architect, and it is phased in. She said if they submit it in full the clock starts in two years instead of five. She said they would submit buildings 7 and 9, which is the first phase, to the Massachusetts Historic Commission. She said building 9 will be the only building finished by March.

Chairman Barbaro said the Town Manager will talk with the Planning Board and talk to the Select Board as to where they are. Amelia said they agree. She said they have invited them to meetings; this is not a secret. She said she wants to be on the same page when she comes back with the investor. Selectwoman LaBrie asked if building 9 is all set. Ms. Giovanoni said yes. She said the contractor will pull permits. Amelia and John Giovanoni thanked the Select Board.

Upper Riverside Cemetery Street Naming – Mr. Hickey said the Riverside Cemetery's upper section has been expanded. He said the Public Works is requesting the streets be named to assist visitors to the cemetery. He said the existing roads are named after trees. Other types of trees were mentioned like hickory and cherry as well as possibly using flowers. Corey Bohan, in the audience, asked to be recognized. He said signs were taken down that named each of those paths and are in the cemetery shed. He believes they are tree oriented. Mr. Hickey said he could check and refer back.

BOARDS/COMMITTEES/DEPARTMENT HEADS:

Historic Commission Joint Meeting – Corey Bohan, Chairman of the Commission and members David Plummer, Jay McCrohon and Mary Harrington were present. Mr. Bohan called to order the joint meeting at 7:37 p.m. Mr. Bohan spoke about Mr. Lynch and his discussion about Cumberland Farms. He said they should be wrapping up negotiations within the next 30 to 60 days, ahead of town meeting. He said he has every indication they will and said the details are being worked out. He pulled out a map of the new sketch. Mr. Bohan said with the current plan the architectural rendering is far more appropriate for the area. They were approached for some lighting to match the cast iron and glass globes, wanting them to be LED. He said Cumberland's has expressed that a wrought iron fence be put up instead of chain link. Selectwoman LaBrie

asked if they intend to leave the trees. Mr. Bohan said they addressed those concerns and they said they would like to see as many as possible. They wanted to see a mitigation plan if they had other areas on the edges to replant adult small type trees that wouldn't interfere with the infrastructure. He said this should be back before them in 30 to 60 days.

Chairman Barbaro said this is a good base to work with getting additional people to downtown. Mr. Bohan said he agrees with that. Selectwoman Anderson asked about the cafe tables at Cumberland Farms. He said they talked about the tables and patio furniture and green circles, like the ones in Gardner but they don't feel those would be fitting in an Historic District and doesn't think Cumberland Farms will have a problem with our recommendation of patio furniture or cedar umbrellas. Chairman Barbaro said this is a win-win; we get funding to sell our garage and get a new garage at the Fire Station. Mr. Bohan said it is a Nationally Historic District. He said it is less district designation and more honorary.

Selectman Cyganiewicz asked more about demolition delay bylaws or preservation of historic properties. Mr. Bohan said as we have it laid out it's designed to protect buildings 50 years or older and would come to the Building Commissioner for a permit to apply for it. It would then have to be forwarded to the commission to see if there is a historic relevance and then there would have to be a vote taken to delay demolition. He said they can vote at anytime to rescind it. Selectwoman Anderson thanked the Historic Commission for their due diligence and persistence and stated that it is greatly appreciated.

Mr. Bohan said lines of communication are much better; it's going in the right direction. He said other efforts are working through GIS mapping, taking our original founders map and overlaying it over our current zoning map. He said we have a rough draft posted on the downstairs information board. He said this could be a wealth of information. Mr. Plummer has been out in the woods and logging Native American sites and native saw mill sites and with his involvement will be able to identify with local representatives from tribal offices, some 65 or better, grave burial grounds. Mr. Bohan said we are looking at how to preserve that land possibly with Mount Grace and the local Conservation Agent. He said with an imminent threat of logging the area 1500 year old graves will be ruined. He said there are sacred carvings out there. He said they are working diligently, meeting twice a month for six months.

Chairman Barbaro said we should have a meeting with all the boards; they were thanked.

Ms. Harrington moved to adjourn the Historic Commission joint meeting. Mr. McCrohon seconded. All aye.

The Board of Selectmen took a recess at 8:05 p.m. They were back to order at 8:08 p.m.

Review of Fiscal Year 2016 Financial Performance Through Six Months of the Fiscal Year:

Town Accountant Donna Allard presented the first six months of review for both school and town.

Chairman Barbaro asked if we are balanced. Ms. Allard said yes. He asked about the bridge with the Treasurer's office and Munis. Ms. Allard said it's not tested yet and advised she had received an email from an individual at Point software and he has some items to discuss with her. She said it's on its way and she hopes it is working soon. Ms. Allard said the trick is getting to the next level of conversion in Munis. Selectwoman LaBrie thanked her for the summary and said it helps her. She said on the school budget, there are quite a few items that are negative. Ms. Allard said the school has a bottom line budget. It is a best business practice to have line items and have a budget. She said TMS is aware of what is left and they are working on it. Chairman Barbaro explained the circuit breaker and that comes in to fill the deficits. She said

there are weekly meetings with the Business Manager which have helped a great deal to work toward the issues and solving them.

Selectwoman Anderson asked why the health insurance premium is slightly elevated. Ms. Allard said it is at the half year mark and she did a transfer out of it. Selectwoman Anderson said she is concerned because it is still showing transportation with a deficit and wants to avoid the June issue. Ms. Allard said she has been speaking with the school about it and they are working on it. Selectwoman LaBrie asked about the deficit and questioned if there were additional students. Ms. Allard said she would have to ask the school.

Selectwoman Anderson asked about the vacation account and Ms. Allard said three high level employees left and this was their earned vacation payment.

Selectwoman LaBrie asked about the warrant they sign; she can't help but look at the summary and there is always at least one or more accounts that have a negative payment. Selectwoman LaBrie said she is referencing school accounts. Ms. Allard said once again they have a bottom line budget; they don't have a line item budget. Selectwoman LaBrie said the school lunch program has a six digit deficit. Ms. Allard said the revenues have not come in yet but it is a point of concern. She said this has been going on for two years now with this problem. She said she has been in touch with the business office to keep monitoring it. She said the revenue is quarterly from the state and the last revenues came in November.

Ms. Allard said we are in good shape; we have good practices and procedures in place. We have a good process for sign in sheets for cash reconciliations. She said both she and the treasurer are working on this and have proved through December. She said we are trending with a little bit above our revenues, state revenues are 50% and this is what we want to see. She said she has some concerns with a couple of revenues trending lower and that is the Sped Medicare reimbursement. She said we are hoping to see a better trend but dependent on a third party process; the school needs to stay on top. She said the second quarter hasn't come in yet.

Chairman Barbaro said we have \$72,000 free cash coming our way. Selectwoman LaBrie said we should put a review of the third quarter on our April meeting agenda. Ms. Allard was thanked.

Presentation of the Town Manager's Recommended FY17 Capital Improvement Plan:

Mr. Hickey provided in the packet the FY17 Capital Improvement Plan. There is information on two spreadsheets, department funded requests and a detailed sheet for each item justifying their needs for requests being made. The prior Interim Town Manager put together forms and sent them to him to develop spreadsheets. He said he wanted to show the Select Board what was requested and the second sheet is how he suggests the town fund the request. He said former Interim Town Manager, Mr. Lynch, suggested a 5 year financial plan whereby the town funds \$300,000 annually for the Capital Improvement Plan.

Mr. Hickey went through the list of Capital Improvements requested for 2017 from Department Heads. The total requested is \$1.5 million. One item he did not support in the Capital Improvement Plan is the Fire Department request for a second truck over and above their current fleet. He said the leasing of a pumper truck would start in 2018. He asked if there were any questions.

Selectwoman Anderson asked how many cruisers we have. Mr. Hickey said he doesn't know the exact number. He said he can get the information. He said the types of vehicles the police get are SUV's.

Selectwoman Anderson asked in addition to the number of cruisers, what are their life spans. He said they typically last three years. He said the chief mentioned 30,000 miles annually on a cruiser. The Capital Improvement Plan is to plug into the schedule replacement of these duty cruisers every three years, which is their life expectancy. The old cruisers are either sold or traded if they are not staying in the town's ownership. We don't retain cars when coming off line.

Selectwoman Salter asked if these amounts are above and beyond the 2½ %. Mr. Hickey said for FY17 he started working on budget expectations with the Capital Improvement Plan to keep it below the 2½ % increases. He said no overrides are expected in future years. Net borrowing would be \$282,500 and an additional \$269,000 for water and \$55,000 for sewer.

Chairman Barbaro said something he forgot to mention that he learned at the meeting with the Community Compact program is that they could apply for a grant for the intersection of Front and Central Streets. He said Representative Zlotnik said to get it in right away and he will work with us to get more money for the town. He asked us for an estimate on the bridge which has been submitted.

Chairman Barbaro said he likes investing on the town side and also the school side. He said we have done little the last few years and this would be an asset to get on top of this now.

Selectwoman LaBrie asked if the Capital Planning Committee is active. Mr. Hickey said he has presented it to them. He said once he gets the feeling from this Board he will then go back to them. Selectwoman Anderson said they have a meeting on the 29th.

OLD BUSINESS:

Second Reading of Board of Selectmen Policies and Procedures:

Chairman Barbaro said he met with the town attorney to go over the policy changes. He said the town attorney asked for those to be sent to her to see if they are right and fit. He asked to table the second half but approve the ones we did at the last meeting. Linda Daigle advised they had already approved the reviewed policies at their last meeting. Chairman Barbaro thought to table the review until they hear back from the town's attorney. Mr. Hickey advised waiting for the review by the town attorney. **Selectwoman LaBrie moved to table the rest. Selectwoman Salter seconded.**

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

TOWN MANAGER'S REPORT

1. Financial Updates-

- a. Meeting with Representatives from the State Department of Revenue -** Board Chair Mike Barbaro, Town Accountant Donna Allard and I met with the DOR on Thursday to review the progress made by Winchendon since the Division of Local Services report was issued in July 2015. He provided the DOR representatives a written summary responding to each of the 24 findings in the report. A copy is attached. Overall the DOR seemed to be satisfied with the progress made since the issuance of their July report. The DOR representatives will continue to check in on Winchendon's progress in the foreseeable future. The reconciliation is done on a timely manner and there is better communication between the Select Board and the School Department. He said he was pleasantly

surprised with the FY17 budget. He said since this was his first budget he did in Massachusetts he wanted the DOR to review it.

- b. **Health Stop Loss Audit Update** – Town consultant Cook & Company has audited the last two years' stop loss claims when the policy was with Blue Cross and Blue Shield. The audit was for FY14 and FY15 (through February 2015). Cook and Company has confirmed that all money due back to the Town for excess claims was appropriately reimbursed. In total for the two years, the Town received \$704,000 in reimbursements. He said they received a check last week for \$300,000 and will receive \$273,000 in the next couple of months. He said Blue Cross and Blue Shield holds \$110,000. Selectwoman Anderson said the teachers union requested a health insurance audit information. She wanted to know if we are working on it. Mr. Hickey said he responded to them and they seem to be satisfied not moving forward with their request. He said he has given them all the information that they requested.
- c. **Release of Escrowed Working Deposit Funds by Blue Cross** - Blue Cross has agreed to release an additional \$287,804.71 of the Town's working deposit making a total of \$587,804.71 that will be returned in February. Blue Cross will still be holding a balance of \$100,000 to pay future claims. A release date is not known at this time.

2. Personnel Updates-

- a. Mr. Hickey said we have advertised for an Assistant Town Accountant and will look over the resumes. We want to have someone start as soon as possible. The former Assistant Accountant has been coming in to assist. Selectwoman LaBrie asked if he has discussed with the Town Accountant about staying longer. Mr. Hickey said he hasn't had a chance yet to speak to Ms. Allard as to her staying through the fall.

3. Project Updates-

- a. The Harris Road bridge project was recently awarded to Kodiak Corporation in the amount of \$2,129,943. The bid was opened on December 1, 2015. A Notice to Proceed has not been issued by Mass DOT. Mass DOT's resident engineer will be in contact with the Town once a Notice to Proceed is issued. Al Gallant expects the bridge work to begin in the spring. The Town's contribution to the project was legal fees and easement recording fees totaling \$5,000.

4. Miscellaneous Updates

- a. **Community Compact** – The Town of Winchendon's request to participate in the Massachusetts Community Compact has been approved. As previously discussed he and members of the Board met with the Lt. Governor with other area community representatives in Athol this past Thursday and signed the compact agreements.
- b. Mr. Hickey reported he attended a joint water meeting with representatives from the Town of Ashburnham to continue discussions about extending Veolia's contract for another five years and how the proposed Capital Improvement Project was going to be funded. After a brief discussion the voting members voted unanimously to share the Capital Improvement costs equally. Originally Ashburnham was proposing to have

Winchendon's share of the CIP costs be 60% based on Winchendon's overall water consumption. This decision will save Winchendon between \$100,000 and \$200,000 over ten years.

Selectwoman LaBrie asked about the April 14th Health Insurance enrollment period. She said they have until May 14 to enroll in a new program. She thought the fair was from 11:00 a.m.- 4:00 p.m. and wondered about people working during those hours. Mr. Hickey said he believes it's an all day thing into the evening. Selectwoman LaBrie said she would check on the hours.

MINUTES:

Tuesday, January 19, 2016 EXECUTIVE SESSION – **Selectman Cyganiewicz moved to approve. Selectwoman LaBrie seconded.**

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

Selectman Cyganiewicz moved to release the executive minutes of January 19, 2016. Selectwoman LaBrie seconded.

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

Monday, January 25, 2016 - Regular Meeting: **Selectwoman LaBrie moved to approve. Selectwoman Salter seconded.**

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

COMMUNICATIONS: None.

AGENDA ITEMS:

Meeting Schedule: February 22, 2016 is the next meeting.

Selectwoman LaBrie asked about the next Department Head to come to a meeting. It was mentioned the Board of Health is scheduled on March 14th and the Building Department would be invited to an upcoming meeting.

ADJOURNMENT:

With no Executive Session this evening, **Selectwoman Anderson moved to adjourn Selectwoman Salter seconded.**

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

The meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Debra Dennis