



TOWN OF WINCHESTER  
BOARD OF SELECTMEN MEETING ROOM

A. 5:30 P.M. OPENING

1. 5:35 PM EXECUTIVE SESSION (Closed To Public)
  1. Contract Negotiations: Winning Farm Appraisal - Ch. 30A §21(a)6
  2. Litigation: Winchester Wine & Spirits – Ch. 30A §21(a)3 {Because an open meeting may have a detrimental effect on the litigating position of the Board of Selectmen as declared by the Chairman.}
  3. Contract Negotiations: Comptroller Employment Agreement – Ch. 30A §21(a)2
2. Chairman's Comments
3. Selectmen's Comments And Non-Docket Business

B. NOTIFICATION OF OTHER MEETINGS AND HEARINGS (OPEN TO PUBLIC)

Monday, June 6, 2016 – Board of Selectmen – Prior to Special Town Meeting  
Monday, June 6, 2016 – Special Town Meeting

C. TOWN MANAGER REPORT AND COMMENTS

1. Streetscape Update

Documents: [MANAGER REPORT B1.PDF](#)

D. MATTERS FROM THE AUDIENCE

E. COMPTROLLERS REPORT

1. Comptroller's Monthly Report For April 2016
2. Workmen's Compensation Update

Documents: [COMPTROLLER REPORT.PDF](#)

F. LICENSES

1. Change Of Manager: Left Eden Restaurant D/B/A TWK The Waterfield Kitchen

Documents: [LICENSE CHANGE OF MANAGER.PDF](#)

G. HEARINGS

1. NStar D/B/A Eversource: Grant Of Location - Park Street

Documents: [EVERSOURCE HEARING.PDF](#)

H. BUSINESS

1. Presentation Donation To Winchester Veterans Honor Roll - Whip Saltmarsh And Bill Carroll
2. Electrical Aggregation - Susan McPhee, Dave Judelson

Documents: [BUSINESS G2.PDF](#)

3. Winning Farm
4. Town Hall Summer Hours
5. Noise Bylaw

Documents: [BUSINESS G5.PDF](#)

I. CONSENT AGENDA

**One Day Alcoholic Beverage License(s)**

Diane Boettcher for Temple Shir Tikvah – June 5, 2016 – Temple Shir Tikvah (RED BOOK)

**Other**

Approval of: Arbor Day Proclamation – June 4, 2016 (RED BOOK)

Approval of: Memorial Day Parade and Civic Exercises – Monday, May 30, 2016 (RED BOOK)

Approval for the Winchester Unitarian Universalist Church to use Town Property for a rance service, Sunday, May 29, 2016 at 11:45 AM: World War I Veterans War Memorial, Main Street & Mystic Valley Parkway

**Recognition of Donations:**

Donation to the Winchester Coalition for a Safer Community from the John & Mary Murphy Fund (\$10,000);

Donation to the Recreation Department Summer 2016 Concerts on the Common from the Winchester Cooperative Bank (\$750)

Documents: [CONSENT.PDF](#)

J. COMMUNICATIONS AND WORKING GROUP REPORTS

1. Verizon Fios TV – LFA Notification emails re: pricing change and programming change
2. Town Manager congratulatory letters to McCall Middle School student MWRA writing and poster contest winners
3. Environmental Strategies & Management re: 134 Cross Street Status Report

Documents: [CORRESPONDENCE.PDF](#)





# *Town of Winchester*

Town Manager's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

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Board of Selectmen Meeting  
Monday, May 23, 2016

## TOWN MANAGER REPORT AND COMMENTS

Docket Item B-1:

Streetscape Update

### Supporting Documents:

B - 1:

Memo from Town Planner Brian Szekely re:  
Shore Road Beautification RFP Update

### Action Required:



# TOWN OF WINCHESTER

OFFICE OF THE

## PLANNING DEPARTMENT

BRIAN SZEKELY  
TOWN PLANNER

71 Mount Vernon Street  
Winchester, MA 01890

May 19, 2016

To: Board of Selectmen

Re: Shore Road Beautification RFP Update

The Planning Department received five responses from firms interested in the Streetscape RFP along Shore Road through the Town Center and terminating at the MBTA Commuter Rail Stop. On May 10<sup>th</sup>, representatives from the Planning Board and the Board of Selectmen, along with myself reviewed the five responses and scored them independently and then as a group. Below are those tallies, with lower numbers equating to more favorable marks.

Firm	Design Experience	Project Experience	Process Proposal	Total	General Notes
KMDG	1	1	1	3	good process outlined
NativeTEC	2	3	4	9	lack of project experience
WDG	2	1	4	7	no process outlined
CBA	1	1	2	4	general aesthetic
GPI	1	1	1	3	good process outlined

KMDG, GPI, and CBA Landscape Architects were selected as the three firms to perform the conceptual streetscape plans for Shore Road. Each firm has been notified of the award and we have received contracts back from CBA and they are circulating Town Hall for signatures. KMDG and GPI are larger firms with their own legal department and are still reviewing the contracts that were sent to them on Monday May 16, 2016. All responses/plans are to be received by this office and all funds are to be paid out prior to the end of FY16. I will update the board once all firms are under contract and will make sure this RFP is continually moving forward.

Best,

Brian Szekely  
Winchester Town Planner



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Board of Selectmen Meeting  
Monday, May 23, 2016

## COMPTROLLER'S REPORT

Docket Item D:

Comptroller's Monthly Report for April, 2016  
Workmen's Compensation Update

### Supporting Documents:

- Monthly Summary for April, 2016
- Memo from Comptroller re: FY2016 as of April

Action Required:

Comptroller Ward will be in attendance.

# Town of Winchester



## Monthly Summary Office of the Comptroller

Stacie A. Ward, CPA, Town Comptroller

**Fiscal Year 2016**

*As of April 30, 2016*

**TOWN OF WINCHESTER, MA  
FINANCIAL UPDATE  
OFFICE OF THE COMPTROLLER  
FISCAL YEAR 2016 - AS OF APRIL 30, 2016**

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**TOWN OF WINCHESTER, MA**  
**GENERAL FUND REVENUE - FISCAL YEAR TO DATE**  
**THROUGH APRIL 30, 2016**

	Revised Budget	Actual	(under)/over Budget	% of Budget Collected
<b>TAXATION</b>				
Real Estate Taxes	76,173,086.48	71,855,528.19	(4,317,558.29)	
Personal Property taxes	613,013.84	610,552.52	(2,461.32)	
Tax Title Liens/Deferred Taxes	-	219,130.17	219,130.17	
Allowance for Abatements (budgetary only)	(475,906.61)	-	475,906.61	
<b>Total Taxation</b>	<b>76,310,193.71</b>	<b>72,685,210.88</b>	<b>(3,624,982.83)</b>	<b>95.25%</b>
<b>STATE AID</b>				
Cherry Sheet Revenue, net of offsets	9,119,806.00	7,603,414.00	(1,516,392.00)	
School Construction	672,082.00	672,082.00	-	
<b>Total State Aid</b>	<b>9,791,888.00</b>	<b>8,275,496.00</b>	<b>(1,516,392.00)</b>	<b>84.51%</b>
<b>LOCAL RECEIPTS</b>				
Motor Vehicle & Boat Excise	3,400,000.00	3,282,752.37	(117,247.63)	
Other Excise - Meals Tax	148,000.00	125,637.59	(22,362.41)	
Penalties & Interest	240,000.00	193,900.66	(46,099.34)	
Payments in Lieu of Taxes	69,000.00	-	(69,000.00)	
Trash Disposal Service	1,300,000.00	1,235,521.14	(64,478.86)	
Fees	900,000.00	862,284.17	(37,715.83)	
Rentals	50,000.00	26,472.08	(23,527.92)	
Cemetery	240,000.00	235,296.25	(4,703.75)	
Other Departmental Revenue	70,000.00	54,962.97	(15,037.03)	
Licenses & Permits	1,400,000.00	1,523,192.00	123,192.00	
Special Assessments	-	1,703.86	1,703.86	
Fines & Forfeitures	34,000.00	29,253.93	(4,746.07)	
Investment Earnings	25,000.00	70,722.54	45,722.54	
Medicaid Reimbursement	50,000.00	59,984.24	9,984.24	
Miscellaneous Recurring	-	2,676.18	2,676.18	
Miscellaneous Non-Recurring	-	4,321,011.05	4,321,011.05	
<b>Total Local Receipts</b>	<b>7,926,000.00</b>	<b>12,025,371.03</b>	<b>4,099,371.03</b>	<b>151.72%</b>
<b>TOTAL REVENUE</b>	<b>94,028,081.71</b>	<b>92,986,077.91</b>	<b>(1,042,003.80)</b>	<b>98.89%</b>
<b>TRANSFERS IN</b>				
From Enterprise - Indirects	1,418,441.00	1,418,441.00	-	
From Building & Capital Stabilization	3,251,944.78	3,251,944.78	-	
From Other	147,000.00	147,175.00	175.00	
<b>TOTAL TRANSFERS IN</b>	<b>4,817,385.78</b>	<b>4,817,560.78</b>	<b>175.00</b>	<b>100.00%</b>
<b>TOTAL REVENUE AND TRANSFERS IN</b>	<b>98,845,467.49</b>	<b>97,803,638.69</b>	<b>(1,041,828.80)</b>	<b>98.95%</b>

TOWN OF WINCHESTER, MA  
GENERAL FUND EXPENDITURES - FISCAL YEAR TO DATE  
THROUGH APRIL 30, 2016

	Revised Budget	Actual	Encumbrances	under/(over) Budget	% of Budget Used
TOWN MANAGER SALARIES	567,972.00	432,992.50	-	134,979.50	76.23%
TOWN MANAGER EXPENSES	108,145.00	50,419.46	1,861.74	55,863.80	48.34%
FINANCE COMMITTEE SALARIES	3,500.00	911.00	-	2,589.00	26.03%
FINANCE COMMITTEE EXPENSES	2,500.00	387.27	-	2,112.73	15.49%
COMPTROLLER SALARIES	355,908.00	268,978.61	-	86,929.39	75.58%
COMPTROLLER EXPENSES	2,670.00	1,938.21	-	731.79	72.59%
ASSESSORS SALARIES	210,160.00	153,608.09	-	56,551.91	73.09%
ASSESSORS EXPENSES	122,750.00	81,411.32	-	41,338.68	66.32%
COLLECTOR/TREASURER SALARIES	304,571.00	238,788.70	-	65,782.30	78.40%
COLLECTOR/TREASURER EXPENSES	108,350.00	72,375.44	9,750.00	26,224.56	75.80%
COLLECTOR/TREASURER CAPITAL	2,000.00	1,250.09	-	749.91	62.50%
AUDIT EXPENSES	84,750.00	79,750.00	-	5,000.00	94.10%
PLANNING & COMMUNITY DEVELOPMENT SALARIES	781,717.50	631,326.58	-	150,390.92	80.76%
PLANNING & COMMUNITY DEVELOPMENT EXPENSES	94,704.00	33,057.83	2,280.84	59,365.33	37.31%
PLANNING BOARD SALARIES	89,028.00	67,708.52	-	21,319.48	76.05%
PLANNING BOARD EXPENSES	49,559.00	12,448.19	13,234.14	23,876.67	51.82%
LEGAL EXPENSES	347,594.00	259,595.27	-	87,998.73	74.68%
HUMAN RESOURCES SALARIES	82,871.00	65,432.22	-	17,438.78	78.96%
HUMAN RESOURCES EXPENSES	11,200.00	5,350.39	-	5,849.61	47.77%
DATA PROCESSING SALARIES	95,028.00	76,396.54	-	18,631.46	80.39%
DATA PROCESSING EXPENSES	438,054.00	363,495.78	26,439.00	48,119.22	89.02%
GENERAL SERVICES EXPENSES	132,462.00	103,479.08	2,726.21	26,256.71	80.18%
TOWN CLERK SALARIES	312,308.00	225,408.91	-	86,899.09	72.18%
TOWN CLERK EXPENSES	55,952.00	20,078.60	305.13	35,568.27	36.43%
GENERAL GOVERNMENT	<u>4,363,753.50</u>	<u>3,246,588.60</u>	<u>56,597.06</u>	<u>1,060,567.84</u>	<u>75.70%</u>
LIBRARY SALARIES	1,436,287.00	1,119,146.60	-	317,140.40	77.92%
LIBRARY EXPENSES	383,185.00	319,635.64	1,130.00	62,419.36	83.71%
LIBRARY CAPITAL	13,500.00	2,388.77	-	11,111.23	17.69%
ARCHIVAL CENTER EXPENSES	11,665.00	7,866.60	2,800.00	998.40	91.44%
HISTORICAL COMMISSION SALARIES	1,500.00	112.81	-	1,387.19	7.52%
HISTORICAL COMMISSION EXPENSES	5,000.00	5,000.00	-	-	100.00%
CULTURE & RECREATION	<u>1,851,137.00</u>	<u>1,454,150.42</u>	<u>3,930.00</u>	<u>393,056.58</u>	<u>78.77%</u>
BOARD OF HEALTH SALARIES	247,607.00	197,898.29	-	49,708.71	79.92%
BOARD OF HEALTH EXPENSES	54,170.00	32,154.09	18,961.64	3,054.27	94.36%
COUNCIL ON AGING SALARIES	248,193.00	203,959.29	-	44,233.71	82.18%
COUNCIL ON AGING EXPENSES	6,350.00	2,354.34	-	3,995.66	37.08%
VETERANS' SERVICES SALARIES	8,906.00	6,154.68	-	2,751.32	69.11%
VETERANS' SERVICES EXPENSES	42,343.00	15,872.31	-	26,470.69	37.49%
HEALTH & SOCIAL SERVICES	<u>607,569.00</u>	<u>458,393.00</u>	<u>18,961.64</u>	<u>130,214.36</u>	<u>78.57%</u>
POLICE SALARIES	4,133,806.00	3,274,713.98	-	859,092.02	79.22%
POLICE EXPENSES	199,269.00	159,165.78	-	40,103.22	79.87%
POLICE CAPITAL	68,800.00	67,909.45	-	890.55	98.71%
FIRE SALARIES	4,274,814.00	3,236,699.05	-	1,038,114.95	75.72%
FIRE EXPENSES	229,574.00	144,796.23	-	84,777.77	63.07%
FIRE CAPITAL	32,500.00	14,721.69	-	17,778.31	45.30%

**TOWN OF WINCHESTER, MA  
GENERAL FUND EXPENDITURES - FISCAL YEAR TO DATE  
THROUGH APRIL 30, 2016**

	Revised Budget	Actual	Encumbrances	under/(over) Budget	% of Budget Used
SEALER OF WEIGHTS & MEASURES SALARIES	7,582.00	6,131.02	-	1,450.98	80.86%
SEALER OF WEIGHTS & MEASURES EXPENSES	2,022.00	560.60	-	1,461.40	27.73%
PUBLIC SAFETY	<u>8,948,367.00</u>	<u>6,904,697.80</u>	-	<u>2,043,669.20</u>	<u>77.16%</u>
DEPARTMENT OF PUBLIC WORKS SALARIES	3,789,559.00	3,071,340.19	-	718,218.81	81.05%
DEPARTMENT OF PUBLIC WORKS EXPENSES	2,031,364.00	1,406,096.30	304,454.22	320,813.48	84.21%
DEPARTMENT OF PUBLIC WORKS CAPITAL	92,275.00	89,950.00	-	2,325.00	97.48%
SNOW & ICE SALARIES	123,300.00	166,785.69	-	(43,485.69)	135.27%
SNOW & ICE EXPENSES	251,700.00	252,242.36	-	(542.36)	100.22%
SNOW & ICE CAPITAL	25,000.00	13,430.17	-	11,569.83	53.72%
DEPARTMENT OF PUBLIC WORKS	<u>6,313,198.00</u>	<u>4,999,844.71</u>	<u>304,454.22</u>	<u>1,008,899.07</u>	<u>84.02%</u>
SCHOOL DEPARTMENT	43,285,705.45	32,342,236.54	10,432,702.57	510,766.34	98.82%
VOCATIONAL EDUCATION EXPENSES	184,105.00	158,605.00	25,500.00	-	100.00%
EDUCATION	<u>43,469,810.45</u>	<u>32,500,841.54</u>	<u>10,458,202.57</u>	<u>510,766.34</u>	<u>98.83%</u>
CONTRIBUTORY RETIREMENT EXPENSES	4,019,991.00	4,019,991.00	-	-	100.00%
WORKERS COMPENSATION/INDEMNITY EXPENSES	400,000.00	164,278.90	-	235,721.10	41.07%
UNEMPLOYMENT INSURANCE EXPENSES	75,000.00	57,177.31	-	17,822.69	76.24%
HEALTH INSURANCE EXPENSES	9,481,260.00	7,585,641.90	-	1,895,618.10	80.01%
MEDICARE TAX & REFUND EXPENSES	820,000.00	590,046.36	-	229,953.64	71.96%
NON-CONTRIBUTORY RETIREMENT EXPENSES	36,000.00	29,621.60	-	6,378.40	82.28%
UNDISTRIBUTED - PERSONNEL BENEFITS	<u>14,832,251.00</u>	<u>12,446,757.07</u>	-	<u>2,385,493.93</u>	<u>83.92%</u>
ENERGY EXPENSES	2,185,799.00	1,978,980.00	94,666.74	112,152.26	94.87%
STATE ASSESSMENTS & CHARGES	524,196.00	460,202.00	-	63,994.00	87.79%
RESERVE FUND	370,439.50	-	-	370,439.50	0.00%
GENERAL INSURANCE EXPENSES	351,575.00	341,073.20	-	10,501.80	97.01%
ENVIRONMENTAL REMEDIATION SERVICES EXPENSE	148,512.00	59,013.95	23,910.39	65,587.66	55.84%
UNDISTRIBUTED - STATE ASSESSMENTS, INSURANCE & OTH	<u>3,580,521.50</u>	<u>2,839,269.15</u>	<u>118,577.13</u>	<u>622,675.22</u>	<u>82.61%</u>
FUNDED DEBT EXPENSES	4,678,301.00	4,403,300.67	-	275,000.33	94.12%
INTEREST ON FUNDED DEBT EXPENSES	2,114,110.00	2,055,790.26	-	58,319.74	97.24%
FUNDED DEBT	<u>6,792,411.00</u>	<u>6,459,090.93</u>	-	<u>333,320.07</u>	<u>95.09%</u>
<b>TOTAL EXPENDITURES</b>	<u><b>90,759,018.45</b></u>	<u><b>71,309,633.22</b></u>	<u><b>10,960,722.62</b></u>	<u><b>8,488,662.61</b></u>	<u><b>90.65%</b></u>
TRANSFERS TO BUILDING & CAPITAL STABILIZATION FUNDS	4,283,264.00	4,283,264.00	-	-	100.00%
TRANSFERS TO ENTERPRISE FUNDS (CH110/SUBSIDY/COLA)	4,335,123.00	4,335,123.00	-	-	100.00%
TRANSFER TO RETIREE HEALTH CARE TRUST	350,000.00	350,000.00	-	-	100.00%
TRANSFERS TO CONTINUED ARTICLE/CAPITAL FUND	270,000.00	270,000.00	-	-	100.00%
<b>TOTAL TRANSFERS OUT</b>	<u><b>9,238,387.00</b></u>	<u><b>9,238,387.00</b></u>	-	-	<u><b>100.00%</b></u>
<b>TOTAL EXPENDITURES AND TRANSFERS OUT</b>	<u><b>99,997,405.45</b></u>	<u><b>80,548,020.22</b></u>	<u><b>10,960,722.62</b></u>	<u><b>8,488,662.61</b></u>	<u><b>91.51%</b></u>

TOWN OF WINCHESTER, MA  
WATER/SEWER ENTERPRISE FUND - FISCAL YEAR TO DATE  
THROUGH APRIL 30, 2016

	Revised Budget	Actual	Encumbrances	Budget surplus/(deficit)	% of Budget Collected/Spent
<b>REVENUE:</b>					
Water usage and other charges	2,224,111.76	2,232,811.13	-	8,699.37	
Sewer usage and other charges	2,759,888.23	2,628,047.42	-	(131,840.81)	
Investment Income	1,000.00	-	-	(1,000.00)	
<b>Total Revenue</b>	<b>4,984,999.99</b>	<b>4,860,858.55</b>	<b>-</b>	<b>(124,141.44)</b>	<b>97.51%</b>
<b>EXPENDITURES:</b>					
Sewer Operations	1,594,379.00	1,332,045.68	-	262,333.32	
Water Operations	1,821,091.70	1,463,032.91	97,779.73	260,279.06	
Funded Debt & MWRA Capital	4,774,861.92	4,374,107.82	-	400,754.10	
<b>Total Expenditures</b>	<b>8,190,332.62</b>	<b>7,169,186.41</b>	<b>97,779.73</b>	<b>923,366.48</b>	<b>87.53%</b>
<b>OTHER FINANCING SOURCES/(USES):</b>					
Transfers from the General Fund	4,133,634.50	4,133,634.50	-	-	100.00%
Indirects to the General Fund	(1,132,079.00)	(1,132,079.00)	-	-	100.00%
<b>Total OFS/(OFU)</b>	<b>3,001,555.50</b>	<b>3,001,555.50</b>	<b>-</b>	<b>-</b>	
<b>Net activity</b>	<b>(203,777.13)</b>	<b>693,227.64</b>			

TOWN OF WINCHESTER, MA  
 RECREATION ENTERPRISE FUND - FISCAL YEAR TO DATE  
 THROUGH APRIL 30, 2016

REVENUE:	Revised Budget	Actual	Encumbrances	Budget surplus/(deficit)	% of Budget Collected/Spent
Year Round Programs	916,000.00	715,641.25	-	(200,358.75)	
Adult Programs	86,000.00	46,819.50	-	(39,180.50)	
Youth Programs	575,000.00	502,836.64	-	(72,163.36)	
Special Events & Trips	51,000.00	35,851.57	-	(15,148.43)	
Investment Income	-	1,072.65	-	1,072.65	
<b>Total Revenue</b>	<b>1,628,000.00</b>	<b>1,302,221.61</b>	<b>-</b>	<b>(325,778.39)</b>	<b>79.99%</b>
<b>EXPENDITURES:</b>					
Personal Services	984,488.00	813,127.10	-	171,360.90	
Expenditures	558,708.00	373,502.16	49,336.50	135,869.34	
<b>Total Expenditures</b>	<b>1,543,196.00</b>	<b>1,186,629.26</b>	<b>49,336.50</b>	<b>307,230.24</b>	<b>76.89%</b>
<b>OTHER FINANCING SOURCES/(USES):</b>					
Transfers from the General Fund	201,488.00	201,488.00	-	-	100.00%
Indirect Transfers to the General Fund	(286,362.00)	(286,362.00)	-	-	100.00%
<b>Total OFS/(OFU)</b>	<b>(84,874.00)</b>	<b>(84,874.00)</b>	<b>-</b>	<b>-</b>	
<b>Net Activity</b>	<b>(70.00)</b>	<b>30,718.35</b>			



# Town of Winchester

Town Comptroller's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781 721-7116  
Fax: 781 721-7156  
sward@winchester.us

**TO:** Board of Selectmen  
**FROM:** Stacie Ward, Comptroller  
**RE:** Comptroller Report  
Fiscal Year 2016 - As of April 30, 2016  
**DATE:** May 23, 2016

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In relation to the Comptroller's Report, I wish to highlight the following:

## *General Fund Revenue*

- The PILOT revenue has not come in yet from the Winchester Hospital. The amount due is expected at any time now and is based on the new agreements with Winchester Hospital for 620 Washington Street and 1021 Main Street. The Town Manager's Office has reached out to the Hospital to remind them of their payment that is due.
- The \$4,321,011 of Miscellaneous Non-Recurring Revenue primarily represents net premiums received upon the issuance of the general obligation bonds and notes issued in early July 2015 (primarily the High School borrowing). Most of this is reserved to offset debt exclusions or future debt issued for a debt-excluded project and will not fall to free cash. Spring Town Meeting voted to use \$4,181,569 of this to offset the amount the Town will borrow for the High School project.
- Other Local Receipts appear to be on target.
- Indirects from the Enterprise Funds are posted quarterly up front; therefore, 100% of the indirects have been processed as of April 30.

## *General Fund Expenditures*

- Salary budgets are less than 83% spent which is to be expected through April.
- For the most part, expenditures appear to be on target as well. Due to the nature of some of the departments, the budgets will be spent more than the expected 83% (debt, contributory retirement, insurance, etc.). Department Heads have been instructed to notify me (and/or the Town Manager's Office) of any budget issues they believe might arise. So far, the issues that were identified have been resolved/funded with a Town Meeting supplemental appropriation. Other issues that may come up relate to small salary matters and perhaps the need for more funds for the legal budget.

*General Fund Expenditures (continued)*

- Health insurance premiums are usually paid in advance, late in the month (i.e. April bills paid and posted by March 30), but the May bills were paid in early May instead of late April. The May premiums totaled approximately \$760k. Based on the current charges and our commitments through June 30, it appears that we should finish the year without needing additional funds, but it will be very close. In addition to the monthly premiums, we still have to process the retiree means based mitigation program (\$55k budget), the Medicare part B reimbursement program (\$280k budget) and also two months of the other smaller programs paid out of this budget (life insurance, Medicare penalties, wellness program, HRA, etc.). We will continue to monitor these numbers as the fiscal year goes on.
- The subsidies paid to the Enterprise Funds are posted quarterly up front; therefore 100% of the subsidies have been processed as of April 30. The subsidies include COLA increases were funded by the General Fund in FY16 (Water/Sewer \$5,767 and Recreation \$26,488).

*Water/Sewer Enterprise Fund*

Overall, the fund appears to be operating as planned and will meet budgeted targets. Revenue will likely exceed projections due to the rate increase approved at Town Meeting effective March 1, 2016.

*Recreation Enterprise Fund*

Overall, the fund appears to be operating as planned and will meet budgeted targets. Per the Recreation Director, they will continue to keep an eye on revenues and expenses.



# Town of Winchester

Town Manager's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

Board of Selectmen Meeting  
Monday, May 23, 2016

## LICENSES

Docket Item E-1:

Change in Manager: Left Eden Restaurant Corp.  
d/b/a TWK the waterfield kitchen –Charles L. Karoub  
to Katie J. Mitchell

## Supporting Documents:

E - 1:

Resume for Katie Mitchell  
**Copy of Form 43** for signatures (Original in RED BOOK)  
Retail Alcoholic Beverages License Monetary Transmittal Form  
Petition for Change of License  
Manager Application  
Personal Information Form – Katie J. Mitchell  
Secretary's Certificate – Left Eden Restaurant Corp.  
Town Staff comments

## Action Required:

E - 1:

VOTE to approve change in manager.

Resume of Katie J. Mitchell regarding change of manager application  
Additional Space for Left Eden Restaurant Corp. d/b/a TWK the waterfield kitchen

Please note which question you are using this space for.

Question 4, D - Employment

Current	- March 2016 - Manager	Left Eden Restaurant Corp (TWK), 14 Thompson St, Winchester
March 2016 - March 2011	- Server, Bartender and Manager	Indigo Restaurant Corp (15 Walnut St. Tavern) 15 Walnut Rd, S. Hamilton
March 2011 - March 2006	- Shift Supervisor and Server	Bertucci's - 27 Enon St, North Beverly

The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

For Reconsideration

**FORM 43**  
**MUST BE SIGNED BY LOCAL LICENSING AUTHORITY**

148800024

Winchester

ABCC License Number

City/Town

Local Approval Date

**TRANSACTION TYPE (Please check all relevant transactions):**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> New License                  | <input type="checkbox"/> New Officer/Director            | <input type="checkbox"/> Pledge of License          | <input type="checkbox"/> Change Corporate Name      |
| <input type="checkbox"/> Transfer of License          | <input type="checkbox"/> Change of Location              | <input type="checkbox"/> Pledge of Stock            | <input type="checkbox"/> Seasonal to Annual         |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock          | <input type="checkbox"/> Change of License Type     |
| <input type="checkbox"/> Cordials/Liqueurs Permit     | <input type="checkbox"/> Issuance of Stock               | <input type="checkbox"/> New Stockholder            | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License       | <input type="checkbox"/> Management/Operating Agreement  | <input type="checkbox"/> Wine & Malt to All Alcohol |   |

Name of Licensee

Left Eden Restaurant Corp.

EIN of Licensee

46-5235575

D/B/A

TWK the waterfield kitchen

Manager

Katie J. Mitchell

ADDRESS:

6 Winchester Terrace and 14 Thompson Street

CITY/TOWN:

Winchester

STATE

MA

ZIP CODE

01890

Annual

Annual or Seasonal

All Alcohol

Category: (All Alcohol- Wine & Malt Wine,  
Malt & Cordials)

Restaurant

Type: (Restaurant, Club, Package  
Store, General On Premises, Etc.)

**Complete Description of Licensed Premises:**

Approximately 3,500 square feet on the first floor, 1,070 square feet on the second floor, and 1,800 square feet in the basement.

Application Filed:

April 2016

Date & Time

Advertised:

Date & Attach Publication

Abutters Notified:

Yes  No

Contact Person for Transaction

Jill Elmstrom Mann

Phone:

978-762-6238

ADDRESS:

191 South Main Street

CITY/TOWN:

Middleton

STATE

MA

ZIP CODE

01949

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
Ralph Sacramone  
Executive Director

ABCC Remarks:



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

Print Form

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
 MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: \$200.00

(CHECK MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL)

CHECK NUMBER

IF USED EPAY, CONFIRMATION NUMBER

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

LICENSEE NAME

ADDRESS

CITY/TOWN  STATE  ZIP CODE

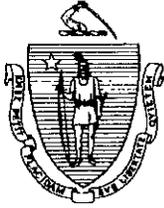
**TRANSACTION TYPE (Please check all relevant transactions):**

- Alteration of Licensed Premises
- Change Corporate Name
- Change of License Type
- Change of Location
- Change of Manager
- Other
- Cordials/Liqueurs Permit
- Issuance of Stock
- Management/Operating Agreement
- More than (3) §15
- New License
- New Officer/Director
- New Stockholder
- Pledge of Stock
- Pledge of License
- Seasonal to Annual
- Transfer of License
- Transfer of Stock
- Wine & Malt to All Alcohol
- 6-Day to 7-Day License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION  
 P. O. BOX 3396  
 BOSTON, MA 02241-3396**





The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

**MANAGER APPLICATION**

All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

**1. LICENSEE INFORMATION:**

Legal Name of Licensee:  Business Name (dba):

Address:

City/Town:  State:  Zip Code:

ABCC License Number:  (If existing licensee) Phone Number of Premise:

**2. MANAGER INFORMATION:**

A. Name:  B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

**3. CITIZENSHIP INFORMATION:**

A. Are you a U.S. Citizen: Yes  No  B. Date of Naturalization:  C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as U.S. Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

**4. BACKGROUND INFORMATION:**

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes  No

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes  No

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes  No

If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

*Katie J. Mitchell*

Date

April 29, 2016

Additional Space

Please note which question you are using this space for.

Question 4, D - Employment

Current	- March 2016 - Manager	Left Eden Restaurant Corp (TWK), 14 Thompson St, Winchester
March 2016 - March 2011	- Server, Bartender and Manager	Indigo Restaurant Corp (15 Walnut St. Tavern) 15 Walnut Rd, S. Hamilton
March 2011 - March 2006	- Shift Supervisor and Server	Bertucci's - 27 Enon St, North Beverly



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

**PERSONAL INFORMATION FORM**

Each individual listed in Section 10 of this application must complete this form.

**1. LICENSEE INFORMATION:**

A. Legal Name of Licensee	Left Eden Restaurant Corp.	B. Business Name (dba)	TWK the waterfield kitchen		
C. Address	6 Winchester Terrace & 14 Thompson Street		D. ABCC License Number (If existing licensee)	148800024	
E. City/Town	Winchester	State	MA	Zip Code	01890
F. Phone Number of Premise	781-729-0204	G. EIN of License	46-5235575		

**2. PERSONAL INFORMATION:**

A. Individual Name	Katie J. Mitchell	B. Home Phone Number			
C. Address	11 Hillside Avenue				
D. City/Town	Peabody	State	MA	Zip Code	01960
E. Social Security Number		F. Date of Birth			
G. Place of Employment	Left Eden Restaurant Corp. (TWK the waterfield kitchen), Winchester, MA				

**3. BACKGROUND INFORMATION:**

Have you ever been convicted of a state, federal or military crime? Yes  No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

**4. FINANCIAL INTEREST:**

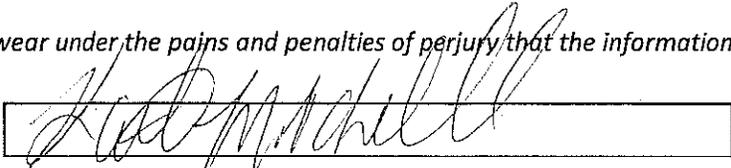
Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

NONE

**IMPORTANT ATTACHMENTS (8):** For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.

\*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature  Date April 27 2016

Title \_\_\_\_\_ (If Corporation/LLC Representative)

**LEFT EDEN RESTAURANT CORP.**  
**SECRETARY'S CERTIFICATE**

I, Mark McDonough, as the duly appointed Secretary of Left Eden Restaurant Corp., a Massachusetts corporation (the "Corporation") hereby certify that:

1. The Corporation owns and operates the full service restaurant located at 6 Winchester Terrace and 14 Thompson Street doing business as "TWK the waterfield kitchen" (the "Restaurant").
2. The Corporation is the licensed holder of an on-premises liquor license (the "Liquor License") for the Restaurant.
3. The Corporation is in good standing in the Commonwealth of Massachusetts.
4. Set forth below is a full, true and correct copy of the unanimous written consent adopted by Mark McDonough, as the sole director of the Corporation, on April 20, 2016, which consent and authorizations are in full force and effect on the date hereof:

RESOLVED: That Mark McDonough, as the President and Treasurer of the Corporation, is hereby authorized and directed on behalf of the Corporation to promote Katie J. Mitchell as general manager of the Restaurant and to appoint her as the Manager of Record for Restaurant's Liquor License in place of Charles L. Karoub, subject to the approval by the Licensing Board for the Town of Winchester (the "LLA") and the Massachusetts Alcoholic Beverages Control Commission.

RESOLVED: That Mark McDonough, as the President and Treasurer of the Corporation, is hereby authorized and directed to execute a Petition for Change of Manager (the "Petition") and to execute and deliver such other agreements, documents, and instruments and to take such other actions as Mark McDonough deems necessary or advisable, in his sole discretion, and to consummate the transaction contemplated by the Petition.

RESOLVED: That Katie J. Mitchell is hereby authorized and directed to submit the Petition to and appear before the LLA and to execute and deliver such other agreements, documents, and instruments and to take such other actions as otherwise directed by Mark McDonough as he deems necessary or advisable in order to consummate the transaction contemplated by the Petition.

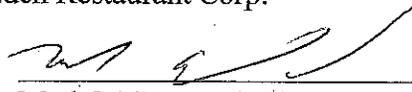
RESOLVED: That the execution and delivery of the Petition are conclusive evidence that the same has been consented to and unanimously approved by the sole Director.

RESOLVED: That the execution and delivery of the Petition and the performance of the transactions described therein will not contravene any law, rule, regulation or any provision of the certificate of organization, operating agreement, or other documents evidencing the Corporation's establishment or governing the conduct of its affairs or any agreement to which it is a party or by which it is bound.

IN WITNESS WHEREOF, I have duly executed this certificate as a sealed instrument as of April 20, 2016.

Left Eden Restaurant Corp.

By:

  
\_\_\_\_\_  
Mark McDonough, Secretary

## Cafarella, Jennifer

---

**From:** Albertelli, Ken  
**Sent:** Thursday, May 12, 2016 2:18 PM  
**To:** Cafarella, Jennifer  
**Cc:** A Lt. MacDonnell; Daniel J O'Connell, Jr.; Barbara Bosco  
**Subject:** RE: TWK change in manager

Hi Jenn,

The Police Dept. has no issues with this establishment or this manager change.

Thanks  
Ken

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 09, 2016 6:47 PM  
**To:** Albertelli, Ken; Murphy, Jennifer; Tracy, Sheila  
**Subject:** TWK change in manager

All,

TWK has filed paperwork to change their manager. Please review the attached applications and let me know if you have had any issues with this establishment.

Thank you,  
Jenn

## Cafarella, Jennifer

---

**From:** Albertelli, Ken  
**Sent:** Thursday, May 12, 2016 2:18 PM  
**To:** Cafarella, Jennifer  
**Cc:** A Lt. MacDonnell; Daniel J O'Connell, Jr.; Barbara Bosco  
**Subject:** RE: TWK change in manager

Hi Jenn,

The Police Dept. has no issues with this establishment or this manager change.

Thanks  
Ken

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 09, 2016 6:47 PM  
**To:** Albertelli, Ken; Murphy, Jennifer; Tracy, Sheila  
**Subject:** TWK change in manager

All,

TWK has filed paperwork to change their manager. Please review the attached applications and let me know if you have had any issues with this establishment.

Thank you,  
Jenn

**Cafarella, Jennifer**

---

**From:** Tracy, Sheila  
**Sent:** Tuesday, May 10, 2016 8:46 AM  
**To:** Cafarella, Jennifer  
**Subject:** RE: TWK change in manager

No issues from this Department  
Sheila

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 09, 2016 6:47 PM  
**To:** Albertelli, Ken; Murphy, Jennifer; Tracy, Sheila  
**Subject:** TWK change in manager

All,

TWK has filed paperwork to change their manager. Please review the attached applications and let me know if you have had any issues with this establishment.

Thank you,  
Jenn

## Cafarella, Jennifer

---

**From:** Murphy, Jennifer  
**Sent:** Monday, May 09, 2016 7:06 PM  
**To:** Cafarella, Jennifer  
**Subject:** RE: TWK change in manager

I don't have any comment.  
Thanks.

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 09, 2016 6:47 PM  
**To:** Albertelli, Ken <KAlbertelli@winchester.us>; Murphy, Jennifer <jenmurphy@winchester.us>; Tracy, Sheila <stracy@winchester.us>  
**Subject:** TWK change in manager

All,

TWK has filed paperwork to change their manager. Please review the attached applications and let me know if you have had any issues with this establishment.

Thank you,  
Jenn



# Town of Winchester

Town Manager's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

Board of Selectmen Meeting  
Monday, May 23, 2016

## HEARINGS

### Docket Item F-1:

NStar d/b/a Eversource Energy Grant of Location Petition  
Park Street – at and southeasterly from pole 116 / 2  
45 feet east of Elmwood Avenue, a distance of about 8 ft.  
conduit --- Work Order #2097502

### Supporting Documents:

#### F - 1:

Hearing Notice to Abutters  
Letter of request from Richard M. Schifone, Rights & Permits  
Eversource petition document / signature page  
Drawing of location  
Abutters notification list  
Town Engineer's memo dated May 13, 2016

### Action Required:

#### F - 1:

VOTE to approve Grant of Location: Park Street

**PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY  
LOCATION FOR CONDUITS AND MANHOLES**

To the **BOARD OF SELECTMEN** of the Town of **Winchester**, Massachusetts:

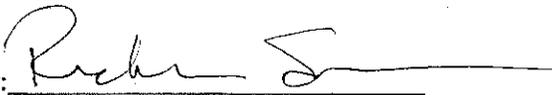
Respectfully represents **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board of Selectmen may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **December 16, 2015** and filed herewith, under the following public way or ways of said Town:

**Park Street - At and southeasterly from pole 116/2 45 feet east of Elmwood Avenue,  
a distance of about 8 feet - conduit.**

**W. O. #2097502**

**NSTAR ELECTRIC COMPANY d/b/a  
EVERSOURCE ENERGY**

By:   
Richard M. Schifone, Supervisor  
Rights and Permits

Dated this 06th day of May 2016

Town of Winchester, Massachusetts

Received and filed \_\_\_\_\_, 2016

\_\_\_\_\_

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES**

Town of **Winchester**, Massachusetts

May 6, 2016

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

**Park Street - At and southeasterly from pole 116/2 45 feet east of Elmwood Avenue, a distance Of about 8 feet - conduit.**

**W. O. #2097502**

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on a plan made by **A. DeBenedictis** dated **April 27, 2016** on file with said petition.
2. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 \_\_\_\_\_  
 2 \_\_\_\_\_ Board of Selectmen  
 3 \_\_\_\_\_ the Town of  
 4 \_\_\_\_\_ **Winchester**  
 5 \_\_\_\_\_

**CERTIFICATE**

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 in said Town.

1 \_\_\_\_\_  
 2 \_\_\_\_\_ Board of Selectmen  
 3 \_\_\_\_\_ the Town of  
 4 \_\_\_\_\_ **Winchester**  
 5 \_\_\_\_\_

**CERTIFICATE**

I hereby certify that the foregoing are true copies of the Order of the Board of Selectmen of the Town of **Winchester**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2016 and recorded with the records of location Orders of said Town, Book \_\_\_\_\_ Page \_\_\_\_\_ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: \_\_\_\_\_

Clerk of the Town of **Winchester**, Massachusetts

N:\SHARED-mmbs-r02\CMAG\BASE\INS\WIN-PARKAA.dwg

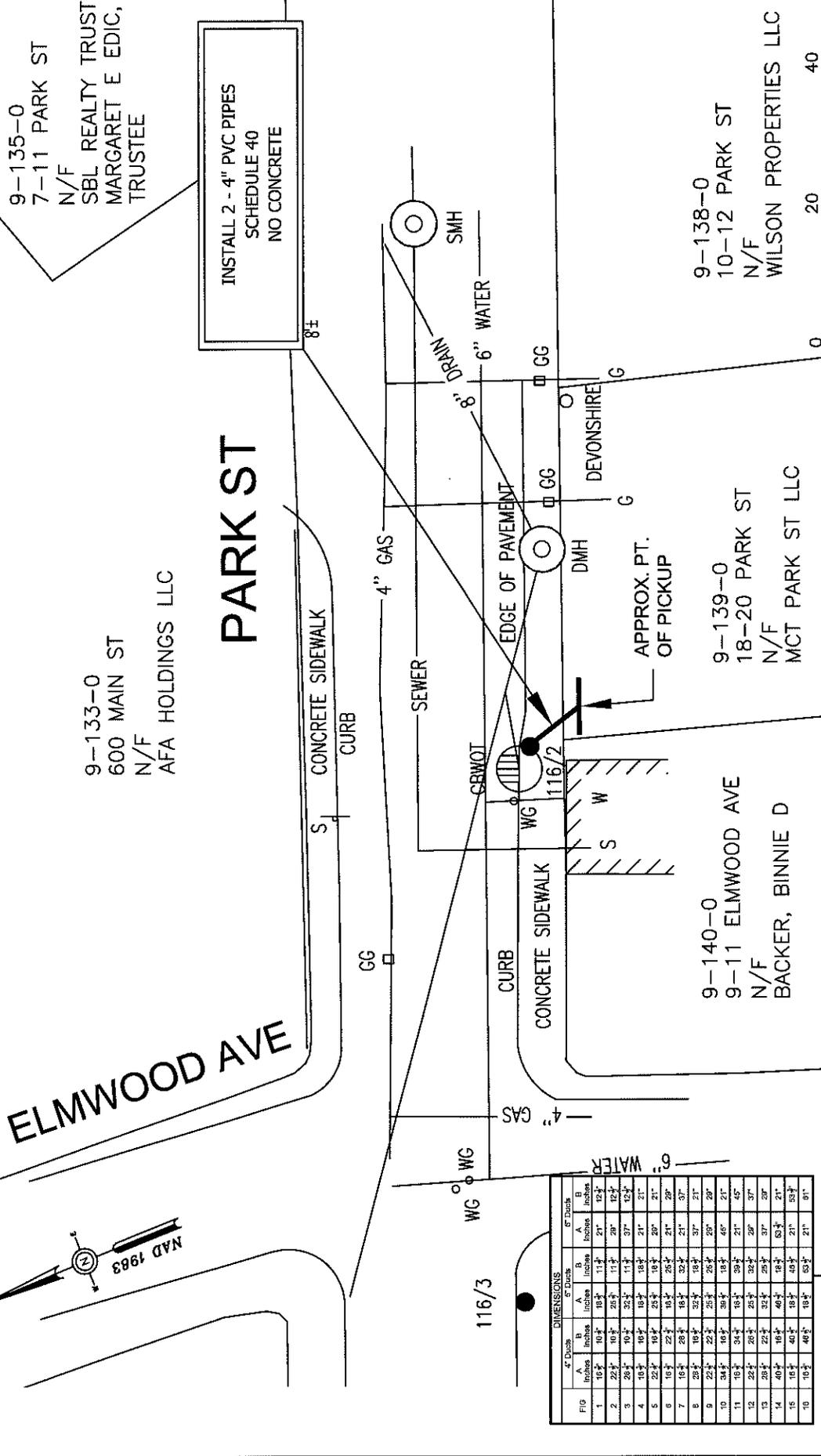
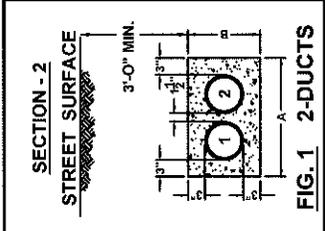


Fig	4" Ducts		6" Ducts	
	A Inches	B Inches	A Inches	B Inches
1	10 1/2	10 1/2	11 1/2	21
2	22 1/2	10 1/2	11 1/2	21
3	26 1/2	10 1/2	11 1/2	21
4	10 1/2	10 1/2	18 1/2	21
5	22 1/2	10 1/2	18 1/2	21
6	16 1/2	22 1/2	18 1/2	21
7	16 1/2	28 1/2	18 1/2	21
8	26 1/2	18 1/2	18 1/2	21
9	22 1/2	22 1/2	18 1/2	21
10	34 1/2	18 1/2	18 1/2	21
11	16 1/2	34 1/2	18 1/2	21
12	22 1/2	22 1/2	18 1/2	21
13	26 1/2	22 1/2	18 1/2	21
14	40 1/2	18 1/2	18 1/2	21
15	16 1/2	40 1/2	18 1/2	21
16	16 1/2	48 1/2	18 1/2	21



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS MADE WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY. IT MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

**MASS. LAW**  
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C# 63-16  
Ward # -  
Work Order # 2097502  
Surveyed by: MA/BS  
Research by: SC  
Plotted by: BS  
Proposed Structures: MR  
Approved: A DEBENEDICTIS  
P# 3

1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125  
**NSTAR EVERSOURCE**  
ELECTRIC  
d/b/a

Plan of PARK STREET  
WINCHESTER  
Showing PROPOSED CONDUIT LOCATION

Date APRIL 27, 2016  
Scale 1"=20'  
SHEET 1 of 1

**EVERSOURCE**  
101 Linwood Street  
Somerville, MA 02143

May 6, 2016

Board of Selectmen  
Town Hall  
Winchester, MA 01890

RE: Park Street  
Winchester, MA 01890  
W.O. #2097502

16 MAY -6 AM 11:28  
TOWN OF WINCHESTER  
TOWN MANAGER  
SECRETARY

Dear Members of the Board:

The NSTAR Electric Company d/b/a Eversource Energy respectfully requests a Grant of Location for the installation of approximately 8 feet of conduit in Park Street, Winchester

This work is necessary to provide electric service to 18-20 Park Street, Winchester.

If you have any questions or concerns, please call Jacqueline Duffy at 617-629-3204.

Very truly yours,



Richard M. Schifone, Supervisor  
Rights and Permits

RMS/cf

Loc: 600 MAIN ST Parcel ID #: 9 133 0  
LUC: 340

AFA HOLDINGS LLC

P O BOX 69

WINCHESTER MA 01890

Loc: 7 11 PARK ST Parcel ID #: 9 135 0  
LUC: 031

SBL REALTY TRUST  
MARGARET E EDIC, TRUSTEE  
120 BREAM ST

HAINES CITY FL 33844

Loc: 584 MAIN ST Parcel ID #: 9 136 0  
LUC: 334

586 MAIN STREET REALTY TRUST  
JEAN DIARBAKERLY, TRUSTEE  
15 VINSON CIRCLE

WINCHESTER MA 01890

Loc: 10 12 PARK ST Parcel ID #: 9 138 0  
LUC: 316

WILSON PROPERTIES INC

45 HUTCHINSON ROAD

WINCHESTER MA 01890

Loc: 18 20 PARK ST Parcel ID #: 9 139 0  
LUC: 316

MCT PARK ST LLC

25 PROSPECT ST

WINCHESTER MA 01890

Loc: 9 11 ELMWOOD AV Parcel ID #: 9 140 0  
LUC: 104

BACKER BINNIE D

4777 NW 25TH WAY

BOCA RATON FL 33434



TOWN OF WINCHESTER  
71 MT. VERNON STREET, WINCHESTER, MA  
ENGINEERING DEPARTMENT  
PHONE 781-721-7120 / FAX 781-721-7166

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**TO:** Richard Howard, Town Manager  
**FROM:** Beth Rudolph, P.E., Town Engineer *BR*  
**DATE:** May 13, 2016  
**RE:** Eversource Grant of Location Petition – Park Street

The Engineering Department has reviewed the Eversource Grant of Location Petition for Park Street. The proposed work includes the installation of approximately 8-feet of conduit within the public right-of-way, and will require repair of the Town-owned sidewalk. The improvements are necessary to provide underground electrical service to the commercial property at 18-20 Park Street, which is currently under renovation.

We find this petition to be acceptable subject to the following conditions:

- The petitioner must meet and satisfy all conditions of Exhibit A (attached);
- Installation shall be subject to the Town's Street Opening moratorium, which runs from November 15<sup>th</sup> through April 15<sup>th</sup>, at the discretion of the DPW Director;
- The conduit shall be installed by open excavation only (no tunneling);
- All underground utilities shall be adequately protected;
- All town-owned utilities shall be relocated at the applicant's expense, as needed;
- The conduit shall be installed/inspected by Eversource and duly recorded with Dig Safe.

cc: Jay Gill, DPW Director

Attachment: Exhibit A – Town of Winchester Grant of Location Requirements



**TOWN OF WINCHESTER**  
**GRANT OF LOCATION – EXHIBIT A**

**Public Utility:** Eversource  
**Location:** Park Street

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Grantee(s) shall apply for and obtain a Street Opening Permit from the Winchester Department of Public Works, (781-721-7100).

Said Grantee(s) and/or any sub-contractor employed by the grantee(s) shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Grantee(s), its agents or servants, or in any manner arising from the rights and privileges granted by the Town. The foregoing is with respect to activity in, over or under public ways and public property.

Grantee(s) shall execute a bond in a penal sum of five thousand dollars (\$5,000.00) (a bond already on file with Town may be used if and only if said bond by its terms is applicable to the work hereby authorized), conditional on the faithful performance of its duties under this permit including without limitation compliance with lawful state and local laws and requirements.

Said Grantee(s) shall comply with the requirements of all state laws and regulations, to the extent applicable, including but not limited to Massachusetts Dig-Safe Requirements, MGL c. 82, sections 40A – 40D; the Massachusetts Excavation and Trench Safety Law, MGL c. 82A, s. 1 et al, and Town of Winchester by-laws, Board of Selectmen and Department of Public Works reasonable regulations and requirements including Town of Winchester Rules and Regulations Regulating Street Excavations, and such other reasonable rules and regulations as may hereafter be adopted governing the construction and maintenance of conduits and wires, and work in and use of the rights-of-way within the Town, so far as the same are not inconsistent with the laws of the Commonwealth.

In work involving excavation of more than 100 feet of any public way, Grantee shall exercise best efforts to notify all abutters served and impacted by the work within 72 hours prior to commencement of said work.

Grantee shall comply with traffic management and police detail requirements as stipulated in the street opening permit or as otherwise lawfully required by the Winchester Police Department.

All Town-owned services located in, or serviced from this location, shall be re-connected without any cost to the Town in accordance with Town of Winchester requirements and standards.

All disturbed areas must be returned to the same condition in which they were found before the excavation.

Grantee will upon request of the Town, provide to the Town, plans kept in the ordinary course of business reflecting the location of Grantee's facilities in a particular area; and if Town has compatible GIS data exchange, Grantee will periodically exchange its data base on facility locations via GIS data exchange.

Grantee(s) acknowledges and agrees to the Town of Winchester roadway construction moratorium between November 15<sup>st</sup> and April 15<sup>st</sup>, except for emergency situations. If emergency status is granted to permit work during the winter moratorium, the grantee(s) and/or contractor must secure the area by sunset each working day, and shall secure the roadway to allow snow plowing and salting and to avoid any flooding. All roadway paving must be maintained during the winter months until permanent repairs can be made.

Upon reasonable request of the Department of Public Works, Town Engineer or Police/Fire Departments, Grantee shall meet with Town designees prior to commencement of construction to discuss Town right-of-way management, public safety matters, street restoration, work standards and related matters if and as needed.

Conduit shall be installed by excavation and not tunneling.



# Town of Winchester

Lance R. Grenzeback, Chairman  
E. James Whitehead, Vice Chairman  
Stephen L. Powers  
Michael Bettencourt  
David P. Errico

## PUBLIC HEARING NOTICE

To: Abutters

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws (Ter. Ed.) you are hereby notified that a public hearing will be held in the Board of Selectmen Meeting Room on the 2<sup>nd</sup> Floor of the Town Hall in in the Town of Winchester, Massachusetts on the **23rd day of May, 2016 at 8:00 p.m.** upon the petition of NSTAR Electric d/b/a Eversource Energy for permission to construct, and a location for, a line of conduits and manholes, with the necessary wires and cables therein, for the transmission of electricity, under the following public ways of said Town:

**Park Street – At and southeasterly from pole 116 / 2 45 feet east of  
Elmwood Avenue, a distance of about 8 feet - conduit  
W.O. #2097502**

This work is necessary to provide electrical service to 18 - 20 Park Street, Winchester.

The public is invited to attend.

May 12, 2016



# Town of Winchester

Town Manager's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

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Board of Selectmen Meeting  
Monday, May 23, 2016

## BUSINESS

Docket Item G - 2:

Electrical Aggregation – Susan McPhee

### Supporting Documents:

G - 2:

Memo from Susan McPhee re: Community  
Electricity Aggregation and MAPC

Melrose Community Electricity Aggregation Experience

MAPC Press Release

Winchester Community Choice Aggregation

### Action Required:

G - 2:

To: Board of Selectmen  
From: Susan McPhee, Energy Conservation Coordinator  
Re: ***Community Electricity Aggregation and MAPC***  
Date: May 19, 2016  
Cc: Richard Howard, Brian Szekely

At Fall 2015 Town Meeting, an article was passed approving the town to pursue Community Electricity Aggregation (CEA) on behalf of the residents. Also during Fall 2015, a group of communities worked with the Metropolitan Area Planning Council (MAPC) putting together a group purchase for Community Aggregation, on behalf of the entire MAPC territory. MAPC, in partnership with Somerville, Arlington, Newton and Sudbury ran a competitive bid process that resulted in the selection of Good Energy as the vendor to run the CEA process.

Currently Brookline, Stoneham and Woburn are joining the MAPC consortium in a group purchase. The process culminates in going out for a bid in November of this year. It would be advantageous for the residents of Winchester to join this coalition, leveraging the buying power of several communities in the bid process.

Time is of the essence as our plan must be approved first by Department of Energy Resources and then by the Department of Public Utilities. By joining with our neighboring communities we will be on track to hit these deadlines, go out to bid in the fall, maximize our leverage and take advantage of a structure that is working well for Melrose.

If you would like further information, attached is additional background detail as well as a summary of Melrose's aggregation effort.

At Monday's meeting we will hear a brief presentation by both MAPC and Good Energy. I respectfully request the Board support joining the MAPC/Good Energy process.

## **The Melrose Community Electricity Aggregation Experience**

### Why Electricity Aggregation

The City of Melrose became aware that the last few winters had been tough as electricity rates rose to unprecedented levels. At the same time, Melrose households and businesses were swamped with solicitations from other suppliers which were confusing and not always a good deal over time. Many ratepayers had trouble deciphering their electric bill and rarely bothered to look at it every month other than when payment is due. Community Electricity Aggregation presented Melrose ratepayers with another option that:

- provided household budget stability instead of crazy six-month rate swings,
- was vetted by Massachusetts regulatory agencies,
- benefited from the experience of competitively procured brokers selected by a committee of Melrose residents, and
- allowed consumers to cancel at any time without penalty.

And the bottom line was that unlike other suppliers, the City didn't profit from this initiative, but simply provided residents with another choice.

### Our Goals

By conducting a bulk purchase for a one- year term with the help of an experienced energy consultant, Good Energy, the City anticipated getting bids that were less than National Grid's winter rates and close to summer rates. On average over the year, our target was to help ratepayers save money and count on a steady rate for budget stability.

Additionally, there was a strong desire to surpass the Renewable Portfolio Standard by 5% with renewable energy generated locally with Class 1 REC supply from Mass Energy Consumers Alliance. The extra 5% across approximately 10,000 accounts in Melrose was seen as a means of moving the renewable usage in Melrose forward by one big leap with minimal impact to the individual ratepayer.

### Melrose Rates

National Grid's Nov 1<sup>st</sup>, 2015 supply rate was 13.1 cents per kWh. The Melrose program offered a supply rate of 9.616 cents per kWh, as a fixed rate for the 12 months from Feb 2016 bill through the Jan 2017 bill.

Recently, the utility May 1<sup>st</sup>, 2016 supply rate has been set at 8.042 cents per kWh. This means for the first portion of the year Melrose ratepayers save approximately 3.5 cents per kWh savings over the utility rate. For the May through Oct timeframe the ratepayer is paying approximately 1.5 cents per kWh more than the utility. For the last several months of the program the rates are still TBD, but are expected to be near current winter rates, with a target of savings over utility rates.

Supply Rates		
	Melrose Community Aggregation	National Grid
2/2016-1/2017 bill	9.616 cents per kWh	
Nov 1, 2015 through Apr 30, 2016	9.616 cents per kWh	13.038 cents per kWh
May 1, 2016 through Oct 31, 2016	9.616 cents per kWh	8.042 cents per kWh
Nov 1, 2016 through Apr 30, 2017	Through 1/ 2017 bill, 9.616 cents per kWh. Still TBD what rate Melrose will have for the next contract period.	TBD

### Customer Communication

To prepare for the program all eligible National Grid account holders were sent a letter in Nov 2015 from Melrose informing them of the program and offering the opportunity to opt out. The 30-day opt-out period required by Massachusetts law closed in late December. In early January, all eligible accounts not opted out of the program were enrolled with Constellation, the selected City supplier, as of January meter read dates.

Melrose also held public information forums at a variety of points during the process to increase consumer education and raise awareness of the program. These forums were held before Department of Public Utilities approval of the Melrose program, during the opt-out period, as well as in designated housing complexes with electric heat and/or vulnerable populations.

## Community Participation

Following the opt-out period, of the 10,266 eligible residential and commercial Melrose accounts, 9,781 accounts were enrolled with our supplier, Constellation. Only 485 accounts opted out.

### What's the backstory?

The City of Melrose has been working on this initiative since early 2014. It is called Community Electricity Aggregation (CEA), made possible by Massachusetts General Law in 1997 which many cities and towns are now taking advantage of as a way to provide residents and businesses another choice of electricity supplier and utility savings. Under CEA, municipalities create large buying groups of local accounts in order to purchase electricity supply in bulk. The Melrose Board of Aldermen provided approval for the City to explore aggregation in May 2014. The City then procured the services of a consultant who drafted a Municipal Aggregation Plan which was approved by the Aldermen in March 2015, reviewed by the Department of Energy Resources in June, and approved by the Department of Public Utilities on September 29, 2015.

The process Melrose followed is the same as the program that MAPC is currently helping many communities follow to secure electricity supply.

For more information on the Melrose program, visit: [www.melrose-cea.com/](http://www.melrose-cea.com/)

Contact: Lori Timmermann, Melrose Energy Commission Co-chair,  
[ltimmermann@yahoo.com](mailto:ltimmermann@yahoo.com)

### Additional Information:

- Sierra Club – “Melrose is the Model”
  - <http://www.sierraclub.org/massachusetts/community-clean-energy>
- Mass Energy’s Melrose Case Study”
  - <http://blog.massenergy.org/blog/municipal-aggregation-an-opportunity-for-local-renewable-energy>

For Immediate Release: Wednesday, January 20, 2016

## **MAPC selects Good Energy as Green Municipal Aggregation Provider**

*Program offers ratepayers price stability, greener energy*

Boston, MA – January 20, 2016 – The Metropolitan Area Planning Council (MAPC) is pleased to announce that it has selected Good Energy to provide green municipal aggregation broker services to MAPC member cities and towns. The Cities of Somerville and Newton and the Towns of Arlington and Sudbury participated in the procurement, and other MAPC municipalities may subscribe at any time throughout 2016.

Across the state, roughly 70 municipalities currently operate municipal aggregation programs, in which the community selects an electricity supplier for all ratepayers that have not yet chosen their own supplier. The programs offer rate payers price stability and potential price savings and can protect them from predatory offers. In partnership with Good Energy, MAPC will help municipalities to achieve an additional and significant benefit through their municipal aggregation programs: adding more renewable energy to the New England electricity grid.

"We are proud to implement a cutting-edge aggregation program that will have a tangible impact on greening our region's electricity grid, without sacrificing stability and competitive prices," said Cameron Peterson, Manager of Clean Energy at MAPC. "MAPC is excited to help municipalities take advantage of this innovative opportunity to benefit ratepayers and the climate."

While some aggregations had previously included excess purchases of renewable energy, few are structured to result in – directly or indirectly – the addition of new sources of renewable energy in New England. Good Energy will help municipalities leverage the significant buying power of a municipal aggregation to make this type of positive impact on a large scale.

"Somerville has made tremendous progress toward our goal of becoming carbon neutral by 2050, and to reach this goal, we must rethink energy generation in our region," said Somerville Mayor Joseph Curtatone. "Our community is eager to find ways to incorporate more renewable energy into the mix that supplies Somerville. Municipal aggregation in Somerville could be good for our wallets and the environment."

"Good Energy is very excited to be selected and looks forward to helping MAPC communities harness the community wide purchasing power of municipal aggregation to implement innovative and forward thinking local renewable energy procurement strategies at an affordable rate," said Philip Carr, New England Regional Director for Good Energy.

MAPC selected Good Energy through a competitive Request for Proposals. Municipalities must officially subscribe to MAPC's contract to utilize Good Energy as part of this procurement. To learn more about the program and how aggregations, if done well, can help add more

renewable energy to the electricity grid, contact the MAPC Clean Energy division or visit its website at <http://www.mapc.org/cca>.

**About MAPC:** The Metropolitan Area Planning Council (MAPC) is the regional planning agency serving the people who live and work in the 101 cities and towns of Metropolitan Boston. Our mission is to promote smart growth and regional collaboration. MAPC's Clean Energy division provides a range of services to communities, including comprehensive local energy and climate planning, energy-related technical assistance, and regional energy procurements.

**About Good Energy:** Good Energy runs more community electricity aggregation programs than any other energy management firm, representing 24 communities within the Commonwealth and over 180 communities comprising 2,000,000 people nationally.

**Contact:**

Cameron Peterson  
cpeterson@mapc.org  
617-933-0791  
MAPC, 60 Temple Place  
Boston, MA 02111

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# Winchester Community Choice Aggregation

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## What:

Community choice aggregation (CCA), also known as municipal electric aggregation, is a way for a town currently served by investor owned utilities to use bulk purchasing power to negotiate electric supply on behalf of their residents and small businesses currently on basic service. Typically in Massachusetts, residents and businesses receive their utility's basic service supply by default. Communities with CCA can contract for rates and renewable energy content with competitive suppliers and obtain funds to provide energy efficiency services to residents.

## Goals:

- Competitive & Predictable electric supply rates for Winchester Residents and Businesses
- Consumer choice and protection, local control. Any Resident or Business may choose not to participate
- Ideally transition to cleaner more efficient and less volatile energy supply

## Approval Process:

- Town Meeting approval
- Issue RFP to hire an energy broker (at no cost to Town)
- Broker develops aggregation plan with DOER (At no cost to Town)
- Selectmen approve aggregation plan (with no obligation to choose a competitive supplier)
- DPU approval of plan (at no cost to Town)
- Broker issues RFP for competitive supplier
- Town chooses competitive supplier
- No obligation to proceed and no cost to Town if none of the proposals are acceptable



# Town of Winchester

Town Manager's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
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Fax: 781-756-0505  
townmanager@winchester.us

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Board of Selectmen Meeting  
Monday, May 23, 2016

## BUSINESS

Docket Item G - 5:

Noise Bylaw

### Supporting Documents:

#### G - 5:

- Memo from Town Manager
- Email from Town Manager re: withdrawal of article
- Memo from David Heinold, Chair, Board of Health
- DRAFT of proposed Article 14, Spring 2016 Annual Town Meeting

### Action Required:

#### G - 5:

Discuss



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

## MEMORANDUM

May 20, 2016

TO: Board of Selectmen  
FROM: Richard C. Howard, Town Manager  
SUBJECT: Noise ByLaw

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For your consideration, attached please find the following documents pertaining to the Noise Bylaw that was proposed for consideration at the Spring 2016 Annual Town Meeting and ultimately withdrawn.

/pcm

## Howard, Richard

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**From:** Howard, Richard  
**Sent:** Wednesday, March 30, 2016 9:36 AM  
**To:** Murphy, Jennifer  
**Cc:** Tassi, Patricia; David Heinold ; dheinold@comcast.net; Kerry Bartlett; Shannon Bottari (shannonbottari@hotmail.com); Cafarella, Jennifer; Peter Haley (Peter.Haley@nelsonmullins.com)  
**Subject:** RE: BOH Chair comment re: Noise ByLaw

All – I apologize for having caused this level of surprise. The topic has been under consideration for a while and I assumed that that folks may have been more aware that something substantive was forthcoming. My error. I'm happy to withdraw the Article until the Board of Health has had an appropriate amount of time to consider the subject matter. I'm also happy to appear before the Board, perhaps sometime after Spring Town Meeting, to discuss the elements of the proposed by-law with a goal of bringing the matter forward at Fall Town Meeting.

Jennifer, please omit the Article from the Warrant before publication.

---

**From:** Murphy, Jennifer  
**Sent:** Tuesday, March 29, 2016 12:08 PM  
**To:** Howard, Richard  
**Cc:** Tassi, Patricia; David Heinold ; dheinold@comcast.net; Kerry Bartlett; Shannon Bottari (shannonbottari@hotmail.com)  
**Subject:** BOH Chair comment re: Noise ByLaw

Richard –  
This memo is from David Heinold, Chair, BOH.

The memo is cc'd to the BOS. Patti could you please forward to the BOS?  
Thank you,  
Jennifer

Board of Health  
71 Mt. Vernon Street  
Winchester, MA 01890

Tel: 781-721-7121  
Fax: 781-729-1794



David Heinold, CCM, Chair  
Kerry Bartlett, MHS, Vice-Chair  
Shannon Bottari, MD

Jennifer Murphy, MPH, Director  
Kathy Whittaker, RN, Public Health Nurse

TO: Richard Howard, Town Manager  
Cc: Board of Selectmen

FROM: David Heinold, Chair Board of Health

DATE: March 28, 2016

RE: Draft ARTICLE 14: Noise Mitigation Bylaws

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On Friday March 25<sup>th</sup>, Health Director Jennifer Murphy forwarded to the Board of Health members the draft of the spring 2016 Town Meeting warrant articles for our review. Ms. Murphy brought our attention to *Article 14: Noise Mitigation Bylaws*, proposed by the Town Manager, which identifies the Board of Health as the regulatory authority. Given that the Town election is on March 29<sup>th</sup>, the late timing has put the Board at a disadvantage as we have not been able to discuss the provisions of the proposed bylaws or deliberate if the Board should either endorse or oppose Article 14 at Town Meeting. Pending certification of the election results, a re-constituted Board will hold its first meeting in early April. At that time the Board is likely to take-up Article 14 and may then be able to provide formal feedback to the Town Manager. However, because Ms. Murphy has indicated that the Town Manager's objective is to finalize the warrant articles this week, it is appropriate for me, as present Chair of the Board of health, to briefly share with you some of my personal observations on draft Article 14, as listed below.

- The existence of this article and the proposed role of the Board of Health were made known at such a late date that it effectively subverted due process by not allowing time for the Board to review and provide input. Whether or not this breach of courtesy displayed was deliberate or simply the result of expediency, the appropriate procedure would be for the article's proponent to have requested a spot on the Board of Health's agenda, at which time an opportunity would have been provided for the proponent to explain the need, scope and provisions of the article, and why the Board should have a role in its implementation and enforcement.
- Article 14 in its present form does not advance or protect public health. The draft article states: "*This by-law is not intended to maintain public health and safety with respect to noise*". Given this stated limitation, it is not straightforward to see why the Board of Health should have a role in its administration and enforcement.
- The Board of Health was not consulted in the development of the noise criteria. As such, we cannot confirm the legitimacy of specified noise criteria in meeting "*acceptable noise conditions from the receiver's perspective*".
- The Reasonable Person Determination concept is insufficiently objective. The provision in the article for a member of the Board of Health (or designee) to determine what level of noise is deemed excessively loud to a "reasonable person" is inherently flawed because the level is entirely subjective and therefore, indeterminate.
- Considerable and unwarranted resources could be required to interpret and carry out the provisions. The logistics of determining of whether a violation has occurred and enforcement would be very difficult and divert resources from important matters that directly affect public health.

Please consider these issues regarding Article 14 prior to finalizing the spring 2016 Town Meeting warrant and if possible delay this article until the re-constituted Board of Health is provided the opportunity for legitimate input in its development.

## Howard, Richard

---

**From:** Murphy, Jennifer  
**Sent:** Tuesday, March 29, 2016 12:08 PM  
**To:** Howard, Richard  
**Cc:** Tassi, Patricia; David Heinold ; dheinold@comcast.net; Kerry Bartlett; Shannon Bottari (shannonbottari@hotmail.com)  
**Subject:** BOH Chair comment re: Noise ByLaw  
**Attachments:** BOH to TMBOS re NoiseByLaw 3-16.pdf

Richard –  
This memo is from David Heinold, Chair, BOH.

The memo is cc'd to the BOS. Patti could you please forward to the BOS?  
Thank you,  
Jennifer

## Howard, Richard

---

**From:** Murphy, Jennifer  
**Sent:** Friday, March 25, 2016 12:15 PM  
**To:** Howard, Richard  
**Cc:** Szekely, Brian  
**Subject:** FW: Spring and Special Town Meeting Warrant  
**Attachments:** 16 Warrant S.doc

So, the noise by-law now puts the enforcement on the Health Dept. My concerns are:

-manpower. I'm it.

-I can name "designees" but that becomes my internal battle to get other depts to agree. Why not name others outright – like police, zoning officer, etc to share enforcement power?

Thanks.

---

**From:** Cafarella, Jennifer  
**Sent:** Friday, March 25, 2016 10:59 AM  
**To:** Szekely, Brian <bszekely@winchester.us>; Murphy, Jennifer <jenmurphy@winchester.us>; Heather von Mering (hvonmering@yahoo.com) <hvonmering@yahoo.com>; helenphilliou@comcast.net; Mariano Goluboff (goluboff@gmail.com) <goluboff@gmail.com>  
**Cc:** Twogood, Mark <mtwogood@winchester.us>; Howard, Richard <rhoward@winchester.us>; lgrenzeback@comcast.net; mbettencourt@mac.com; slpowers@bonnelford.com; ejwhitehead@verizon.net; jmsjfo@yahoo.com; wwelch@welchdonohoe.com  
**Subject:** Spring and Special Town Meeting Warrant

All,

Attached is the draft warrant for the Spring and Special Town Meeting. I am hoping to have this to the printer on Thursday, March 31<sup>st</sup>.

Thank you,  
Jenn

**ARTICLE 14.** To see if the Town will vote to add Chapter 20 to the Town's By-laws as follows: Noise Mitigation Bylaws: An Act Limiting the Levels of Noisiness Activities within Town Limits:

**CHARTER: Section 20: Noise**

**1. Purpose**

The purpose of this Noise By-law is to allow the Town of Winchester, Massachusetts (the Town) to establish reasonable guidelines, restrictions and limitations to maintain acceptable noise conditions within the Town.

This by-law defines noise criteria limits and restrictions for the purposes of (1) maintaining acceptable existing conditions, equipment operations, social interactions, and avoidance of disruption of life, peace, and (2) managing and controlling potential future noise conditions in the Town stemming from development of properties, equipment operations, and infrastructure.

This by-law is intended to maintain the quality-of-life within the Town from an acoustical perspective. This by-law addresses so-called "community noise" by establishing acceptable noise conditions from the receiver's perspective in order to support the continued use and enjoyment of the receiving property for its intended purpose.

This by-law is not intended to define safe noise levels to protect people's hearing or avoid auditory damages from excessively loud noises either within the workplace or from private activities. As such, this by-law is not intended to maintain public health and safety with respect to noise. The remedies for maintaining acceptable noise conditions as the outlined in this by-law are intended to be in addition to, and not excluding of, such other laws, regulation and rules of the Commonwealth, the Town of Winchester, and its agents departments.

*Therefore, it shall be unlawful for a person or persons to knowingly generate, or allow continued generation of, noise levels which either (1) exceed the criteria limits found in Section 3, except under conditions defined in Section 5, when measured at a receiving party's property line or at any location on the receiving property, OR (2) are deemed to be excessively loud to a "reasonable person" as defined to be a Member of the Board of Health of the Town, and/or their designee, as defined in Section 4.*

**2. Acoustical Terms and Definitions**

Community noise is generated by natural and man-made sources such as transportation systems, industrial processes, construction operations, building air handling systems, power generation, agricultural processes, landscaping machinery, human activities, meteorological conditions, etc. In general, noise can be quantified by its magnitudinal (loudness), tonal (frequency) and temporal (time) characteristics. The following are definitions to terms typically used to describe community noise.

**Sound** – Sound is a physical parameter which is produced when a vibrating surface transfers energy in the form of air pressure waves which fluctuate above and below barometric pressure to such a degree and within a frequency range that it can be perceived by the human auditory system (i.e. sound can be heard).

**Noise** – Noise is defined as "unwanted sound" which can occur when a source is either too loud, uncontrollable, conveys unwanted information, masks-out other desirable sound, occurs at unacceptable times, or has annoying characteristics.

**Decibels (dB)** – The magnitude or loudness of noise is expressed in units of decibels (dB). Decibels relate the actual fluctuating air pressure levels against a standardized reference air pressure level of 20 micro-pascals. Human beings can hear noise over a tremendously large range of air pressure so the use of a decibel scale (from about 0 dB to 140 dB) is used for convenience. Zero decibels represents the "threshold of hearing", while at the other extreme, pain and hearing damage can occur at noise levels of about 140 decibels.

**Audible Frequency Range (and A-weighting)** – Human beings can perceive noise only if the fluctuating air pressure waves are within the so-called “audible frequency range” of about 20 Hz to 20,000 Hz (Hertz, or cycles-per-second). However, people do not hear noise equally well at all frequencies. As such, a frequency weighting adjustment has been standardized in ANSI Standard S1.42 to account for humans responding less sensitively to lower and higher frequency ranges. This frequency weighted adjustment is referred to as “A-weighting”, with results expressed as A-weighted decibels, or dBA.

**Time Constant (RMS Slow)** – The speed with which the electronic root-mean-square (RMS) detector of a sound level meter responds to changes in instantaneous noise levels has been standardized in ANSI Standard S1.4. A “fast” time constant is defined as a rise-time of 0.125 seconds, while “slow” is defined as a rise-time of 1 second. For the purpose of this by-law, all noise levels and limits are expressed in units of A-weighted decibels using an RMS “slow” time constant (dBAs).

**Background (Bkgd) Noise** – The background noise is the prevailing or pre-existing noise conditions that can be measured at a given location of interest *without* the contribution of the noise source of concern.

**Nuisance Noise** – Nuisance noise is defined as noise which can annoy or disturb individual listeners. When measured, nuisance noise levels may or may not exceed specified noise criteria limits so nuisance noise is often defined qualitatively by listing specific examples, as in Section 3.A of this by-law.

**Equivalent Sound Level (Leq)** – The Leq represents the energy-averaged noise level over some time period of interest. The Leq is expressed in dBA, and the time period over which the Leq value applies should also be stated (i.e. Leq(1min) represents a one minute average; Leq(24h) represents a 24-hour average, etc.).

**Maximum and Minimum Sound Levels (Lmax and Lmin)** – The Lmax and Lmin represents the absolute loudest and quietest noise levels experienced for just an instant during some time period of interest. The Lmax and Lmin levels are expressed in dBA.

**Noise Percentile Levels (Ln)** – Ln levels are a statistical representation of changing noise levels indicating the noise level that was exceeded in percent of the time. For example, the L10, L50, and L90 represent the noise levels exceeded 10%, 50%, and 90% of the time, respectively. The L10 is often used to identify an intrusive noise level, while the L90 is considered to represent the steady background noise level.

**Reasonable Person** – Acting on behalf of the greater good of the public, a reasonable person is able to judge in an unbiased manner the appropriateness of a given situation. A reasonable person is appropriately informed, rational, capable, aware of the law, and fair-minded when applications of the law is sought, compatible with planning, working, or getting along with others. For the purpose of this by-law, a reasonable person shall be defined as a Member of the Town, and/or their designee, as further described in Section 4.

**Sound Level Meter (SLM)** – A sound level meter is a calibrated electrical device used to measure the loudness of noise. For the purposes of this by-law, a SLM must be capable of measuring and expressing noise levels in A-weighted decibels using an RMS “slow” time constant in accordance with Type 1 or Type 2 accuracy requirements of ANSI Standard S1.4. In addition, an “integrating” SLM must be used if any time-averaged noise metrics (such as Leq or Ln percentiles) are to be reported.

**Stationary Noise Sources** – Sources that emit noise on a continuous or repeatable basis and that are located in fixed positions. Example stationary noise sources would include, but are not limited to, building mechanical (HVAC) systems, power transformers, commercial processing machinery, etc.

**Construction Noise Sources** – Sources, activities, vehicles and/or equipment that emit noise as part of a construction or demolition project. Typically some form of engine power is required such as diesel or gasoline motors, hydraulic or pneumatic pressure, or electric power.

**Designee** – A person, who after due consideration, is selected by the Winchester Board of Health to respond in their place to investigate noise complaints. The designee becomes an authorized representative of the Board of Health only for matters involving this by-law. A designee should work for the Town in some capacity such as, but not limited to, the Building Department, or a consultant hired by the Town to act in these regards.

### 3. Noise Criteria Limits

Noise criteria limits in this by-law are based on the type of noise being produced, the sensitivity of the receiver and land-use being affected, the time of day during which the noise is generated, and the existing background noise level. Except where noted, the following noise criteria limits and restrictions are based on noise propagating to and affecting the receiver's location.

#### 3.A. Nuisance Noise

Noise which has the potential to annoy or disturb can be described as nuisance noise. Nuisance noise can vary significantly from person to person, and typically exhibit aspects such as pure tone squealing or whining, loud impulsive noises, repetitive thumping, low-frequency air-borne vibrations, etc.

For the purposes of this by-law, nuisance noise shall be qualitatively defined by listing specific examples which are deemed to be annoying.

Therefore, it will be prohibited for persons or equipment to generate the following nuisance noises:

- The use of excessively loud radios, public address systems, shouting, or other noises associated with communications or advertisement, that have the potential to disturb nearby residents during the nighttime hours of 10:00 PM to 7:00 AM.
- The emptying and/or replacing of waste dumpsters during the nighttime hours of 10:00 PM to 7:00 AM.
- The use of powered landscaping tools, such as but not limited to lawn mowers and leaf blowers, during the nighttime hours of 10:00 PM to 7:00 AM.
- The use of truck Jake-brakes (other than emergency vehicles).
- The use of noise enhancing exhaust muffler systems (i.e. glass packs, sport mufflers) on motor vehicles and motorcycles at any time of day or night.
- The use of excessively loud automobile sound systems (i.e. radios, CD players, etc.), as judged by a reasonable person as defined in Section 4, at any time of day or night.
- The unreasonable extended use of vehicle horns under non-emergency conditions.
- The unnecessary (i.e. false) sounding of vehicle security alarm systems.

**Comment [SB1]:** Make separate times for weekends.

**Comment [SB2]:** Question for Erik regarding enforcement.

**3.B. Stationary Noise Sources**

Stationary sources of noise may include, but are not limited to, building HVAC systems, power generation facilities, industrial equipment, water or sewage pump stations, railroad and subway lay-over facilities, electric power transformers, commercial factories and plants, truck depots, and recreational events. The noise level emitted by stationary noise sources shall not exceed the limits contained in Table 1 when measured at the property line of the receiving property.

**Table 1.  
Noise Criteria Limits from Stationary Noise Sources**

Receiver Land-Use	Daytime Noise Limit (7 AM to 6 PM)	Evening Noise Limit (6 PM to 10 PM)	Nighttime Noise Limit (10 PM to 7 AM)
Residential: - including private residences, multi-family residences, apartment complexes, retirement homes, etc.	55 dBAs Leq(1min) or Background Leq(1min), whichever is greater	50 dBAs Leq(1min) or Background Leq(1min), whichever is greater	45 dBAs Leq(1min) or Background Leq(1min), whichever is greater
Residential within Commercial: - mixed land-use, primarily commercial areas but with some residential development, hotel/motels, hospitals, etc.	60 dBAs Leq(1min) or Background Leq(1min), whichever is greater	60 dBAs Leq(1min) or Background Leq(1min), whichever is greater	55 dBAs Leq(1min) or Background Leq(1min), whichever is greater
Commercial: - including retail stores, business offices, houses of worship, restaurants, libraries, theaters, public parks, etc.	65 dBAs Leq(1min) or Background Leq(1min), whichever is greater	65 dBAs Leq(1min) or Background Leq(1min), whichever is greater	60 dBAs Leq(1min) or Background Leq(1min), whichever is greater

Notes: Background Leq(1min) noise levels should be measured without the noise source in question operating. Average noise levels measurements can be estimated if an integrating Leq noise meter is not available.

**3.C. Construction Noise Sources**

In general, construction and/or demolition activities shall only be permitted to occur within the town during the hours of 7:00 AM to 10:00 PM. However, it is understood that construction and demolition are inherently noisy activities which will likely be heard by adjacent residents and business operators during short periods of time. As such, the intent of this section is to balance the needs for the necessary construction work to be performed with the needs of the community for peace and quiet.

Therefore, cumulative noise generated by construction and/or demolition activities and operations shall not exceed the limits contained in Table 2 when evaluated at the property line of the receiving property, nor shall the noise emission level of any individual piece of construction equipment exceed the noise emission limits contained in Table 3 when measured at a distance of 50 feet from the loudest side of the piece of equipment.

**Table 2.  
Construction Noise Criteria Limits**

<b>Receiver Land-Use</b>	<b>Daytime Noise Limit (7 AM to 6 PM)</b>	<b>Evening Noise Limit (6 PM to 10 PM)</b>	<b>Nighttime Noise Limit (10 PM to 7 AM)</b>
Residential: - including private residences, multi-family residences, apartment complexes, retirement homes, etc.	65 dBAs L10 or Bkgd L10 + 5 dBAs, whichever is greater	60 dBAs L10 or Bkgd L10 + 5 dBAs, whichever is greater	N/A (*) Non-emergency construction and/or demolition activities are prohibited
Residential within Commercial: - mixed land-use, primarily commercial areas but with some residential development, hotel/motels, hospitals, etc.	75 dBAs L10 or Bkgd L10 + 5 dBAs, whichever is greater	70 dBAs L10 or Bkgd L10 + 5 dBAs, whichever is greater	N/A (*) Non-emergency construction and/or demolition activities are prohibited
Commercial: - including retail stores, business offices, houses of worship, restaurants, libraries, theaters, public parks, etc.	80 dBAs L10 or Bkgd L10 + 5 dBAs, whichever is greater	75 dBAs L10 or Bkgd L10 + 5 dBAs, whichever is greater	N/A (*) Non-emergency construction and/or demolition activities are prohibited

Notes: Criteria approach taken from FHWA Roadway Construction Noise Handbook (FHWA, 2006).

L10 noise levels shall be measured over a period of 20 minutes.

Background (Bkgd) L10 noise levels should be measured prior to construction commencing in the field or without the noise source in question operating.

L10 noise levels measurements can be estimated if an integrating noise meter is not available by determining the average or Leq noise level plus 3 dB(A).

Table 2 noise limits do not apply to roadway construction activities.

(\*) Except when determined necessary by the Board of Selectmen to protect public safety.

**Table 3.  
Construction Equipment Noise Emission Criteria Limits**

Generic Type of Construction Equipment	Noise Emission Limit at 50 feet
Blasting – as well as explosive tools such as concrete nail guns	95 dBAs Lmax
Pile Drivers – including impact and vibratory type drivers	95 dBAs Lmax
Impact Devices – such as hoe rams, jackhammers and pavement breakers	90 dBAs Lmax
Saws and Drills – including chain saws, concrete saws, and vermeer saws, rock drills, and auger drill rigs	90 dBAs Lmax
Demolition Equipment – such as grapples and shears	85 dBAs Lmax
Earth Movers – including excavators, backhoes, bulldozers, gradalls, front end loaders, scrapers and vacuum excavators	85 dBAs Lmax
Trucks and Tractors – including dump trucks, concrete mixers, concrete pump trucks, flatbed trucks, and street sweepers	85 dBAs Lmax
Finishing Equipment – including graders, rollers, pavers and compactors	80 dBAs Lmax
Support Equipment – such as cranes, compressors, generators and pumps	80 dBAs Lmax
Tools – including pneumatic and gas-powered hand tools	80 dBAs Lmax
Any other equipment not listed above	85 dBAs Lmax

Notes: Criteria limits consistent with FHWA Roadway Construction Noise Handbook (FHWA, 2006). Lmax noise emission levels shall be measured 50 feet from the loudest side of the equipment while the equipment is engaged in its intended activity.

In addition to the construction noise criteria limits shown in Tables 2 and 3, the following restriction(s) shall apply to any and all pieces of construction and/or maintenance equipment.

- The use of standard vehicle backup alarms, whose noise level exceeds 105 dBAs at a distance of 4 feet behind the vehicle, shall be prohibited. Alternatively, quieter-type manually-adjustable or automatically-adjustable backup alarms, or the use of observers used in lieu of audible backup alarms, are permitted for use in accordance with applicable OSHA Guidelines (29 CFR Part 1926, Subpart "O", 1926.601.b.4 and 1926.602.a.9.).

#### 4. Reasonable Person Determination

It shall be unlawful to knowingly generate, or allow continued generation of, noise levels which a reasonable person would consider to be excessively loud. For the purposes of interpretation and enforcement, a *reasonable person* shall be defined in this by-law as Member of the Board of Health and/or their designee.

To be applicable, the Member, and/or their designee, must hear for him/herself the noise source in question. The Member, and/or their designee, must take conditional, circumstantial and extenuating factors into account, including but not limited to, the following:

- The necessity of the noise source to continue to operate.
- The extent to which the noise propagates to, and is heard by, noise-sensitive receivers.

- The time of day or night that the noise is occurring.
- The duration of time that the noise is expected to continue.

## 5. Exceptions

The following cases shall be exceptions to the restrictions and criteria limits contained in this noise by-law. The Town shall maintain the right to modify, add or remove any or all of these exemption cases.

- Grandfathering - All existing residential, commercial, industrial and/or agricultural stationary noise sources, which have been operating on a lawful basis prior to the effective date of this by-law, shall be allowed. However, this exception does *not* apply to any *new or upgraded* sources of noise subsequently brought into operation at an existing location.
- Noise generated by transportation systems in motion, such as vehicular traffic traveling on public roadways, aircraft overflights, commuter and freight trains, public transit systems and buses, are generally not regulated by local ordinances, and as such, shall not be a part of this noise by-law (however, specific motor vehicle noise-enhancing devices, as described in Section 3.A, will still be subject to this by-law). Commercial deliveries involving idling trucks and/or idling freight trains will be subject to this by-law after a period not to exceed 20 minutes.
- Noise emitted by utility or Town service crews and equipment performing emergency repairs to restore supply of and/or operation of critical public utilities such as natural gas, electrical power, steam, potable water, telecommunications, sewerage removal, etc.
- Any noise emitted by public safety or emergency response vehicles while performing their intended duties. Specific examples of exempt emergency equipment include sirens, horns, generators, pumps, public address systems, etc.
- Noise generated by sources intended for public entertainment, when said sources are part of a legal activity such as, but not limited to, parades, sporting events, public concerts, fireworks display, etc.
- All snow clearance activities at any time of day, evening or night.
- The performance of Town-sponsored street sweeping operations at night on public ways which are otherwise inaccessible during daytime hours.
- Due to the continuously progressing nature of roadway work, the cumulative property line construction noise limits shown in Table 2 shall not apply for roadway construction (however, individual pieces of equipment used for roadway construction will still be subject to the 50 foot emission limits shown in Table 3).
- The use of hand tools, powered lawn equipment and small motorized vehicles for construction, maintenance or repair of properties between the hours of 7:00 AM to 10:00 PM.

Comment [SB3]: DEP idling law lookup

Comment [SB4]: Consolidate this section and take out.

## 6. Noise Compliance Measurements

Quantitative noise level measurements performed to demonstrate compliance or exceedance of the various noise criteria limits contained in this by-law must be collected in accordance with accepted practices and procedures as recommended in ASTM Standards E1686-03, E1780-04, and E1014-84, using a sound level meter (SLM) capable of meeting ANSI Standard S1.4 for Type 1 or Type 2 accuracy. Noise data shall be collected using a calibrated SLM using a "slow" time

constant with results expressed in A-weighted decibels (dBAs). The minimum information necessary to collect and report shall include the following:

- (1) The make and model of SLM and portable calibrator used for the noise readings.
- (2) The date which the SLM was last certified by the manufacturer, or other independent calibration laboratory, as meeting ANSI Standard S1.4 for Type 1 or Type 2 accuracy requirements (should be within previous two years).
- (3) The SLM calibration readings obtained prior to, and immediately following, performing the compliance noise measurements.
- (4) The type of windscreen used to cover the microphone.
- (5) The height at which the noise readings were collected (should be at least 5 feet above ground), and an estimate of the distance (in feet) from the noise source to the SLM.
- (6) The time of day, date, and duration of noise data collected by the SLM.
- (7) An indication of the background noise level collected in the absence of the noise source in question.
- (8) A brief description of the meteorological conditions during the noise readings including wind speed and direction, air temperature, precipitation, and ground cover conditions.
- (9) A clear and concise comparison of the measured noise level data (expressed in dBAs) versus the applicable noise criteria limits contained in Section 3 of this by-law.
- (10) The findings and conclusions to be drawn from the noise compliance measurements.

## 7. Enforcement, Penalties, Appeals

### 7.A. Enforcement

In the event a noise complaint is received from a resident or business owner, or at any time at the discretion of the Town, a representative of the Winchester Board of Health, and/or their designee, shall respond and investigate the circumstances surrounding the noise issue. Noise levels may be judged excessively loud by a "reasonable person" standard as defined in Section 4 or may be measured at the receiving party's property line by a properly designated investigating agent. If measurements are deemed necessary, the investigating agent shall first have been trained in the proper use of, and equipped with, a calibrated sound level meter meeting the requirements described above in Section 6. The investigating agent shall collect all relevant information, perform noise compliance measurements (if available), and prepare a written report summarizing their findings in a manner consistent with the procedure described in Section 6.

If the investigating agent's findings indicate a violation of the noise criteria limits or restrictions contained in Section 3, except in those cases as described in Section 5, then the producer(s) of said noise shall be found in violation of this noise by-law and will be cited to a civil penalty consistent with the guidelines in Section 7.B together with such relief as outlined in Section 34 of Chapter 8 of the Town's by-laws.

### 7.B. Penalties

1. The first violation of this by-law shall result in the issuance of a *written warning* indicating the reason(s) for the violation and stating, at the investigating agent's discretion, a time period within which the offender(s) must cease production of the noise, or mitigate (reduce) the noise down to acceptable levels which will then comply with the restrictions and noise criteria limits in this by-law.

2. The second violation of this by-law stemming from the same noise issue within any 12 month period shall be punished by a fine of one hundred dollars (\$100.00).
3. Further violations of this by-law within any 12 month period shall be punished by a fine of one thousand dollars (\$1,000.00), together with a loss of permit or license applicable to any stationary or construction noise source as defined in 2 above.
4. Each such act in violation of this by-law which either continues or occurs more than one hour after issuance of a written warning of violation of this by-law shall be deemed a *separate* offense and shall be prosecuted as such, unless it occurs within the time period granted for correcting the original offense.
5. If the violation occurs on the premises of rental property which is not owned by the offender, then in the interest of assisting property owners in exercising responsible property management, the Town will notify the owner-of-record in writing that the violation has occurred, including the nature and circumstances of the violation.

#### **7.C. Appeals**

An offender who has been cited and/or fined under the terms and procedures of this noise by-law can *appeal* the citation within 30 days after receiving it by presenting to the Board of Selectmen's appointed Hearing Officer any alternative information, situational evidence, noise measurement data, extenuating circumstances, or explanation to the contrary of the investigating agent's findings. The Hearing Officer will serve in judgment of the appeal, and will have full discretion to reject, request additional details, reduce the severity of the penalties, continue, or enforce as issued the violation under appeal. The ruling of the Hearing Officer shall be final and not subject to further appeals within the Town's governance system.

#### **8. Invalidity**

If any provision of this by-law shall be determined to be invalid or unenforceable by final judgment or order of a court of competent jurisdiction, the remaining provisions of this by-law shall continue in effect to the fullest extent permitted by law.

(Town Manager)

**ARTICLE 15.** To see if the Town will vote to transfer a certain parcel of land, located off High Street, Winchester, for nominal consideration to the Wright-Locke Land Trust, as shown on the plan entitled "Plan of Land 78 Ridge Street Winchester, MA" containing 7,630 square feet more or less, dated February 8, 2016 by Schofield Brothers, LLC. This parcel is currently part of the land leased to the Wright-Locke Farm Conservancy by the Town. The purpose of the transfer to the Wright-Locke Land Trust is to correct the encroachment of the building located at 82 High Street and to be leased by the Land Trust from the Conservancy. The land to be transferred is currently under lease to the Conservancy. This proposed transfer was approved by the Board of Selectmen and ratified by Town Meeting in the Development Agreement that was incorporated in the documents of transfer from the Town to the Land Trust or take any other action in relation thereto.

(Town Manager)

**ARTICLE 16.** To see if the Town will vote to authorize the Treasurer, with the approval of the Town Manager and the Board of Selectmen, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2016 in accordance with Massachusetts General Law, Chapter 44, Section 4 as amended and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of Massachusetts General Law, Chapter 44, Section 17, or take any other action in relation thereto.

(Town Manager)



# Town of Winchester

Town Manager's Office  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

Board of Selectmen Meeting  
Monday, May 23, 2016

## CONSENT AGENDA

Docket Item H-1:

One Day Alcoholic Beverage License  
Diane Boettcher for Temple Shir Tikvah –  
June 5, 2016 at the Temple

H - 2:

Approval of Arbor Day Proclamation – Saturday,  
June 4, 2016

H - 3:

Approval of the Memorial Day Parade and Civic  
Exercises – Monday, May 30, 2016

H - 4:

Acceptance of Donation to the Coalition for a Safer  
Community from the John & Mary Murphy Foundation;  
Acceptance of a Donation to the Recreation Department  
2016 Summer Concerts on the Common from the  
Winchester Cooperative Bank

H - 5:

Approval for the Winchester Unitarian Universalist  
Church to use Town Property for a remembrance  
service, Sunday, May 29, 2016 at 11:45 AM:  
Veterans War Memorial / Main Street & Mystic Valley  
Parkway

### Supporting Documents:

H - 1:

Application for One Day License

H - 2:

Proclamation Notice

H - 3:

Parade request

H - 4:

Letters(2) accompanied by copies of donation.

H - 5:

Email request from Rev. Heather Janules; staff  
comments

### Action Required:

VOTE to approve.



# Town of Winchester

## Application for Special (One Day) Alcoholic Beverage License

Name of Applicant/  
Organization: Temple Shir Tikvah

Address: 34 Vine Street

Telephone Number: 781-729-1263

Permit Applying For:

All Alcohol License (\$75.00)       Beer and Wine Only License (\$75.00)

Nature and purpose of the event: Membership Picnic

Number of persons attending event: ~ 30

Description of premises and location of facility where alcohol will be sold and/or dispensed:

Back yard behind Temple Building

Name(s) of responsible manager (s) who will be in charge of dispensing the alcohol; date of birth(s) and social security number(s):

Diane Boettcher

Date(s) and times of event and/or specific times when alcoholic beverages will be sold or dispensed:

5:00 - 7:00 pm., Sunday, June 5, 2016

I have read the Procedural Requirements for Special (One Day) Alcoholic Beverage License (attached) and agree to all the terms and conditions:

Signature of Responsible Manager:

Diane Boettcher

Print Name of Responsible Manager:

Diane Boettcher

16 MAY 16 AM 11:02  
TOWN OF WINCHESTER  
TOWN MANAGER  
SPECIAL PERMIT

**NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event**

## Cafarella, Jennifer

---

**From:** Albertelli, Ken  
**Sent:** Monday, May 16, 2016 1:17 PM  
**To:** Cafarella, Jennifer; Bosco, Barbara  
**Subject:** RE: One Day Alcohol License

Hi Jenn,

The Police Dept. has no objection.

Thanks  
Ken

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 16, 2016 12:02 PM  
**To:** Albertelli, Ken; Bosco, Barbara  
**Subject:** One Day Alcohol License

Chief,

Can I please have your comments on the attached one day alcoholic beverage license?

**Group:** Temple Shir Tikvah  
**Location:** Temple  
**Date:** June 5

Thanks -  
Jenn

## ARBOR DAY

- Whereas, In 1872, J. Sterling Morton proposed to the Nebraska board of Agriculture that a special day be set aside for the planting of street trees, and
- Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- Whereas, Arbor Day is now observed throughout the nation and world, and
- Whereas, the Town has created the Peter T. van Aken Street Tree Gift Account, and
- Whereas, the Town was awarded the "Tree City USA" designation in 2013 by the National Arbor Day Foundation, in recognition of our commitment to our urban forest, and
- Whereas, trees have aesthetic appeal, contribute to the distinct character of certain neighborhoods, improve air quality, provide glare and heat protection, reduce noise, aid in the stabilization of soil, provide natural flood and climate control, create habitats for wildlife, provide traffic calming, enhance property values and provide natural privacy to neighbors

NOW, THEREFORE, I, Lance Grenzeback, Chairman of the Board of Selectmen, along with the members of the Board of Selectmen of the Town of Winchester, Massachusetts, do hereby proclaim June 4, 2016 as:

## ARBOR DAY

In the Town of Winchester, Massachusetts, and I urge all citizens to celebrate Arbor Day and to support the efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well being of this and future generations.

Dated This \_\_\_\_ Day of May in the Year 2016

---

Lance Grenzeback, Chairman  
Winchester Board of Selectmen



ABERJONA POST NO. 3719  
30 River Street  
Winchester, Massachusetts 01890

16 MAY 18 PM 3:03

WINCHESTER  
TOWN MANAGER  
SELECTMEN

May 18, 2016

Hon. Lance Grenzeback, Chairman  
Winchester Board of Selectmen  
Town Hall  
Winchester, MA 01890

Dear Mr. Chairman:

The members of the Veterans of Foreign Wars Post No. 3719 respectively request that you grant the Post a permit for the Memorial Day parade and civic exercises they are sponsoring on Monday, May 30, 2016. This observance of Memorial Day has been a long tradition in the Town and the members of the Post appreciate your considering this request.

The Parade will gather at the Winchester High School campus on Monday, May 30 at about 9:00 a.m. and step-off at 9:15 a.m. from the High School. The marchers will turn right onto Skillings Road and proceed to the intersection at Main Street, and turn left at the lights.

The Parade will follow along Main Street to the Common where it will turn right and curve around it and make an immediate left turn on Waterfield Road. It will continue on Waterfield Road, passing the Post Office, and then turn left onto Mystic Valley Parkway. Continuing on Mystic Valley Parkway, the Parade will make a stop at the Lincoln School where a wreath will be laid at the War Memorial.

The Parade will then regroup and continue left on Main Street towards the Rotary. At Mt. Vernon Street, the marchers will turn right, passing under the Flag flying at the Fire Station, and complete its journey at the Edward F. O'Connell Memorial Plaza at the Town Hall where the civic exercises will take place.

Thank you for your attention to our request.

Faithfully,

*Gregory Quill*  
Gregory Quill, Parade Marshal  
*Ed O'Connell*  
Mrs. Ed O'Connell,  
Parade Committee



# *Town of Winchester*

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505

May 18, 2016

TO: Board of Selectmen  
FROM: Al Wile, Veterans Office  
RE: MEMORIAL DAY PARADE

The Veterans Office respectfully requests a permit for the Memorial Day Parade to be held on Monday, May 30, 2016.

The parade route is as follows:

The parade will gather at the High School at about 8:45am and step-off at 9:15am. It will leave the High School and turn right on Skillings to Main Street where it will turn left and follow Main Street to the Town Common where it will curl around it. At Waterfield Road, the Parade will turn left, pass the Post Office, and turn left on Mystic Valley Parkway and continue to the War Memorial at the Lincoln School where a wreath will be laid.

After this pause, the parade will re-assemble and continue on Main Street to the Center where at the Rotary it will turn right and continue down Mt. Vernon Street to the Town Hall where civic exercises will take place at the Edward F. O'Connell Memorial Plaza.

Thank you.

## Cafarella, Jennifer

---

**From:** Albertelli, Ken  
**Sent:** Wednesday, May 18, 2016 10:36 AM  
**To:** Cafarella, Jennifer  
**Subject:** RE: Memorial Day Parade request

Hi Jenn,

The Police Dept. has no objection.

Thanks  
Ken

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Wednesday, May 18, 2016 10:21 AM  
**To:** Gill, James; Albertelli, Ken; Nash, John  
**Subject:** Memorial Day Parade request

All,

Can I please have our comments on the attached request?

Thanks -  
Jenn

**Cafarella, Jennifer**

---

**From:** Nash, John  
**Sent:** Wednesday, May 18, 2016 10:59 AM  
**To:** Cafarella, Jennifer  
**Subject:** RE: Memorial Day Parade request

The Winchester Fire Department has no objection to the permitting of the Memorial Day parade plans , providing the usual and customary restrictions.

Chief John Nash

Winchester Fire Department

32 Mount Vernon Street Winchester MA 01890  
Phone (781) 729-5993 | Fax (781) 721-6722

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Wednesday, May 18, 2016 10:21 AM  
**To:** Gill, James <jgill@winchester.us>; Albertelli, Ken <KAlbertelli@winchester.us>; Nash, John <jnash@winchester.us>  
**Subject:** Memorial Day Parade request

All,

Can I please have our comments on the attached request?

Thanks -  
Jenn

## Cafarella, Jennifer

---

**From:** Gill, James  
**Sent:** Wednesday, May 18, 2016 1:57 PM  
**To:** Cafarella, Jennifer; Albertelli, Ken; Nash, John  
**Subject:** RE: Memorial Day Parade request

The Dpw has no objection .

-----Original Message-----

**From:** Cafarella, Jennifer  
**Sent:** Wednesday, May 18, 2016 10:21 AM  
**To:** Gill, James <jgill@winchester.us>; Albertelli, Ken <KAlbertelli@winchester.us>; Nash, John <jnash@winchester.us>  
**Subject:** Memorial Day Parade request

All,

Can I please have our comments on the attached request?

Thanks -  
Jenn

Board of Health  
71 Mt. Vernon Street  
Winchester, MA 01890

Tel: 781-721-7121  
Fax: 781-729-1794



Docket Item: **H-3:**  
**Recognition of Donations:**  
**May 23, 2016**

Jennifer Murphy, MPH, Director  
Kathy Whittaker, RN, Public Health Nurse

16 MAY 19 AM 8:33  
TOWN OF WINCHESTER  
SEAL

TO: Board of Selectmen  
FROM: Kerry Bartlett, Chair  
Board of Health  
DATE: May 16, 2016  
RE: Donation to Winchester Coalition for a Safer Community

The Board of Health is in receipt of a \$10,000 check, generously donated by the John & Mary Murphy Fund.  
Please accept this donation on behalf of the Health. Thank you.

KB:rmc

THIS DOCUMENT HAS A COLORED BACKGROUND AND INVISIBLE FLUORESCENT FIBERS - VIEW UNDER BLACK LIGHT



WINCHESTER  
CO-OPERATIVE BANK

TREASURER'S CHECK

No. 109718

6-123  
110

DATE May 09, 2016

PAY TO THE  
ORDER OF

\*\*\*\*\*Winchester Coalition for a Safer Community\*\*\*\*\*

\$ 10,000.00

Ten Thousand and 00/100\*\*\*\*\*

DOLLARS

MEMO 1997 John & Mary Murphy Educational FDN

BY  
AUTHORIZED SIGNATURE

*Carrie J. Nye*  
Asst. Treas.

Winchester Co-operative Bank  
WINCHESTER, MASSACHUSETTS 01890

MICRO-PRINT SIGNATURE LINE - MAGNIFY TO VIEW

⑈ 109718⑈ ⑆ 211371573⑆ 9407629⑈

# HALL & SULLIVAN

ATTORNEYS AT LAW  
600 MAIN STREET  
WINCHESTER, MA 01890

Tel 781-721-0100  
Fax 781-721-0293

PATRICK C. HALL

JOHN J. SULLIVAN  
(Retired - 2015)

PARALEGAL  
LORRAINE J. BUDDEN

April 6, 2016

Dot Butler - Community Health Program Manager  
Winchester Board of Health  
71 Mt. Vernon Street  
Winchester, MA 01890

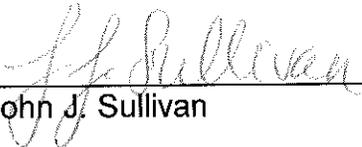
**Re: Winchester Coalition for a Safer Community**

Dear Ms. Butler:

Thank you for your request dated February 29, 2016. We are pleased to advise you that we have approved a grant in the amount of \$10,000. We believe John and Mary Murphy would be very proud of this program. Thank you for your efforts. Best regards.

Best regards.

Sincerely,

  
\_\_\_\_\_  
John J. Sullivan

  
\_\_\_\_\_  
Patrick C. Hall

JJS/ljb



*Winchester Recreation & Community Ed.*  
Christopher Nelson      263 Main Street  
Director of Recreation      Winchester, MA 01890  
781/721-7126      781/721-7129 fax

**MEMO**

Date: May 17, 2016  
To: Richard Howard, Town Manager  
From: Chris Nelson, Recreation Director *CA*  
RE: Donation for Summer 2016 Concerts on the Common

---

Please accept the donation of \$750.00 from the Winchester Co-Operative Bank. The Winchester Co-Operative Bank. is donating to the Concerts on the Common for the 2016 Summer. We certainly appreciate their thoughtful gift and continued support of the Winchester Recreation and Community Education Department.

OFFICE OF THE TOWN MANAGER  
SEAL OCT 19 2011

16 MAY 19 AM 8:34

16 MAY 19 AM 8:34

**WINCHESTER CO-OPERATIVE BANK**

4586

Vendor No: 482 Name: WINCHESTER RECREATION DEPARTMENT

Inv Date	Inv Number	Description	Amount Paid
05/01/2016	5/1	WCB DONATION CONCERT ON COMMON	750.00

Check No 45865	Check Date 05/06/2016	Total:	750.00
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<b>WINCHESTER CO-OPERATIVE BANK</b> 19 CHURCH STREET WINCHESTER, MASSACHUSETTS 01890 781-729-3620		<b>NORTHERN BANK &amp; TRUST COMPANY</b> ACTON-BILLERICA-BURLINGTON-CHELMSFORD LITTLETON-MELROSE-WESTFORD-WOBURN WOBURN, MASSACHUSETTS 01801 53-309-113	
**Seven Hundred Fifty and NO/100 Dollars**			
		DATE	AMOUNT
		May 6, 2016	\$*****750.0
PAY TO THE ORDER OF	WINCHESTER RECREATION DEPARTMENT 263 MAIN STREET WINCHESTER MA 01890		 AUTHORIZED SIGNATURE

⑈045865⑈ ⑆011303097⑆ ⑈000 206 2⑈

H-5  
5-23-16

**Mawn, Patti**

---

**From:** heather.janules@winchesteruu.org  
**Sent:** Thursday, May 19, 2016 2:36 PM  
**To:** Town Manager  
**Subject:** Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

Dear Selectmen,

My name is Heather Janules and I serve the Winchester Unitarian Society as its minister.

As we are preparing our observances of Memorial Day for Sunday, May 29<sup>th</sup>, we would like to conclude our worship service by crossing Main Street, placing a remembrance wreath and some flowers at the WWI statue on town property at Main and Mystic Valley Parkway, naming aloud WUS members who have died in armed conflicts and offering a public prayer for peace.

We anticipate this being a short public ceremony beginning around 11:45 am, open to anyone who wishes to participate. If we can procure a public address system, we might amplify the ceremony to accommodate the hard-of-hearing but we can also offer the ceremony without amplification. We would remove the flowers and wreath on the morning of Tuesday, May 31<sup>st</sup>.

Thus, we request permission to hold this ceremony and invite any questions or concerns you may have. I can be reached at this email address, at the phone number listed in my signature file or at my cell number: 301.767.7466.

Thank you for your consideration of our request.

Sincerely,  
The Rev. Heather Janules

---

(The Rev.) Heather K. Janules, Minister  
Winchester Unitarian Society  
478 Main Street  
Winchester, MA 01890  
Phone: 781.729.0949, x1  
[www.winchesteruu.org](http://www.winchesteruu.org)

## Mawn, Patti

---

**From:** Nash, John  
**Sent:** Thursday, May 19, 2016 3:23 PM  
**To:** Mawn, Patti  
**Subject:** RE: Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

The Winchester Fire Department has no objection to the permitting of *a small remembrance service at the World War I Memorial on Sunday, May 29<sup>th</sup>*, providing the usual and customary restrictions.

### Chief John Nash

Winchester Fire Department



32 Mount Vernon Street Winchester MA 01890  
Phone (781) 729-5993 | Fax (781) 721-6722

**From:** Mawn, Patti  
**Sent:** Thursday, May 19, 2016 2:42 PM  
**To:** Albertelli, Ken <KAlbertelli@winchester.us>; Ken Albertelli, Chief of Police <kalbertelli@winchesterpd.org>; Wile, John <jwile@winchester.us>; Kostos, Anne <akostos@winchester.us>; Nash, John <jnash@winchester.us>  
**Cc:** Barbara Bosco <bbosco@winchesterpd.org>; Bosco, Barbara <bbosco@winchester.us>; Coviello, Diane <dcoviello@winchester.us>; Viarella, Janine <jtustin@winchester.us>  
**Subject:** FW: Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway  
**Importance:** High

*Hello Chiefs Anne and Al...below is a request from the Winchester Unitarian Universalist minister requesting permission to hold a small remembrance service at the World War I Memorial on Sunday, May 29<sup>th</sup>. May I have your comments, please.*

**From:** [heather.janules@winchesteruu.org](mailto:heather.janules@winchesteruu.org) [mailto:[heather.janules@winchesteruu.org](mailto:heather.janules@winchesteruu.org)]  
**Sent:** Thursday, May 19, 2016 2:36 PM  
**To:** Town Manager  
**Subject:** Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

Dear Selectmen,

## Mawn, Patti

---

**From:** Albertelli, Ken  
**Sent:** Thursday, May 19, 2016 2:46 PM  
**To:** Mawn, Patti  
**Cc:** A Lt. MacDonnell; Barbara Bosco  
**Subject:** RE: Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

Hi Patti,

The Police Dept. has no objection.

Thanks  
Ken

---

**From:** Mawn, Patti  
**Sent:** Thursday, May 19, 2016 2:42 PM  
**To:** Albertelli, Ken; Ken Albertelli, Chief of Police; Wile, John; Kostos, Anne; Nash, John  
**Cc:** Barbara Bosco; Bosco, Barbara; Coviello, Diane; Viarella, Janine  
**Subject:** FW: Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway  
**Importance:** High

*Hello Chiefs Anne and Al...below is a request from the Winchester Unitarian Universalist minister requesting permission to hold a small remembrance service at the World War I Memorial on Sunday, May 29<sup>th</sup>. May I have your comments, please.*

**From:** [heather.janules@winchesteruu.org](mailto:heather.janules@winchesteruu.org) [mailto:[heather.janules@winchesteruu.org](mailto:heather.janules@winchesteruu.org)]  
**Sent:** Thursday, May 19, 2016 2:36 PM  
**To:** Town Manager  
**Subject:** Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

Dear Selectmen,

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Thus, we request permission to hold this ceremony and invite any questions or concerns you may have. I can be reached at this email address, at the phone number listed in my signature file or at my cell number: 301.767.7466.

## Mawn, Patti

---

**From:** Kostos, Anne  
**Sent:** Thursday, May 19, 2016 4:02 PM  
**To:** Mawn, Patti  
**Subject:** RE: Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

Hi Patti,

I don't foresee any issues with their ceremony.

Thank you!  
Anne

**From:** Mawn, Patti  
**Sent:** Thursday, May 19, 2016 2:42 PM  
**To:** Albertelli, Ken <KAlbertelli@winchester.us>; Ken Albertelli, Chief of Police <kalbertelli@winchesterpd.org>; Wile, John <jwile@winchester.us>; Kostos, Anne <akostos@winchester.us>; Nash, John <jnash@winchester.us>  
**Cc:** Barbara Bosco <bbosco@winchesterpd.org>; Bosco, Barbara <bbosco@winchester.us>; Coviello, Diane <dcoviello@winchester.us>; Viarella, Janine <jtustin@winchester.us>  
**Subject:** FW: Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway  
**Importance:** High

*Hello Chiefs Anne and Al...below is a request from the Winchester Unitarian Universalist minister requesting permission to hold a small remembrance service at the World War I Memorial on Sunday, May 29<sup>th</sup>. May I have your comments, please.*

**From:** [heather.janules@winchesteruu.org](mailto:heather.janules@winchesteruu.org) [mailto:[heather.janules@winchesteruu.org](mailto:heather.janules@winchesteruu.org)]  
**Sent:** Thursday, May 19, 2016 2:36 PM  
**To:** Town Manager  
**Subject:** Request to Hold Public Ceremony at WWI Statue at Main Street and Mystic Valley Parkway

Dear Selectmen,

My name is Heather Janules and I serve the Winchester Unitarian Society as its minister.

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**Mawn, Patti**

---

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 16, 2016 8:25 AM  
**To:** Mawn, Patti  
**Subject:** FW: Verizon Fios TV - LFA Notification  
**Attachments:** Bill Message - All Other.pdf

**From:** Rogalski, Bonnie [mailto:bonnie.rogalski@verizon.com]  
**Sent:** Friday, May 13, 2016 1:06 PM  
**Subject:** Verizon Fios TV - LFA Notification

Dear Municipal Official:

This is to notify you of an upcoming Fios® TV pricing change.

To continue to bring Verizon's customers the best programming that TV has to offer, on or after August 1, 2016, the monthly subscription charge for TV 5 French (TV5MONDE) will increase from \$9.99 to \$11.99.

Verizon will notify subscribers of this rate increase by means of a bill message beginning on or around June 1, 2016. A sample customer notice is attached.

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,

Bonnie Rogalski  
*On Behalf of:*

Jill Reddish  
Verizon Fios TV  
Franchise Service Manager



### **TV 5 French – Rate Increase**

Two changes to TV 5 French (TV5MONDE) will begin on or after 30 days from the date of this message:

- Your monthly subscription charge will increase to \$11.99.
- Your subscription will include Cinema on Demand, a library of world class French language films.

**Mawn, Patti**

---

**From:** Cafarella, Jennifer  
**Sent:** Monday, May 16, 2016 8:25 AM  
**To:** Mawn, Patti  
**Subject:** FW: Verizon Fios TV - LFA Notification  
**Attachments:** Customer Notice - Escape.pdf

**From:** Rogalski, Bonnie [mailto:bonnie.rogalski@verizon.com]  
**Sent:** Friday, May 13, 2016 3:33 PM  
**Subject:** Verizon Fios TV - LFA Notification

Dear Municipal Official:

This is to notify you of a certain upcoming change to Fios® TV programming.

On or after May 26, 2016, WFXT Movies! programming on channel 490 will be replaced with Escape, a new television network offering daring movies and series focused on crime and mystery. This is a provider-driven change.

Verizon will notify subscribers through the Fios® TV Message Center beginning on or around May 16, 2016. A sample customer notice is attached.

Access to the Fios® TV channel lineup is available 24/7 online at [verizon.com/fiostvchannels](http://verizon.com/fiostvchannels).

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,

Bonnie Rogalski  
*On Behalf of:*

Jill Reddish  
Verizon Fios TV  
Franchise Service Manager



**Fios® TV Programming Change**

Effective 5/26/2016, WFXT Movies! programming on channel 490 will be replaced with Escape, a new television network offering daring movies and series focused on crime and mystery. This is a provider-driven change.

Docket Item:  
I - 2:  
May 23, 2016



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

May 16, 2016

Mr. Qixuan Eric Chen  
15 Lochwan Street  
Winchester, MA 01890

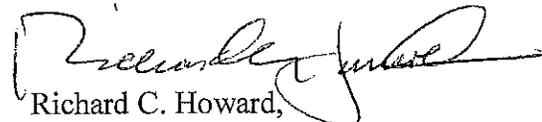
Dear Mr. Chen:

Congratulations on being awarded a Honorable Mention designation for your submission in the MWRA's 2016 Writing Contest "*Spreading the Word About Bay State Fertilizer*" an effort at educating students and families about the damage caused to Massachusetts lakes and streams by fertilizer run off.

The Town received formal notification of your award from the MWRA along with the names of other award recipients some of whom are also Winchester students.

Once again, on behalf of the Town of Winchester, my sincere congratulations for being a first place winner in the MWRA 2016 Writing Contest. Keep up the good work!

Sincerely,



Richard C. Howard,  
Town Manager

/pcm

cc: Board of Selectmen



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

May 16, 2016

Mr. Luke Macannuco  
42 Brookside Avenue  
Winchester, MA 01890

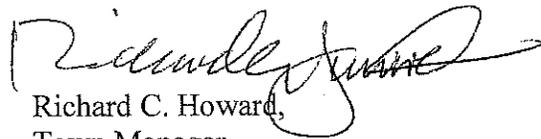
Dear Mr. Macannuco:

Congratulations on being awarded a 1<sup>st</sup> Place designation for your submission in the MWRA's 2016 Writing Contest "*Spreading the Word About Bay State Fertilizer*" an effort at educating students and families about the damage caused to Massachusetts lakes and streams by fertilizer run off.

The Town received formal notification of your award from the MWRA along with the names of other award recipients some of whom are also Winchester students.

Once again, on behalf of the Town of Winchester, my sincere congratulations for being a first place winner in the MWRA 2016 Writing Contest. Keep up the good work!

Sincerely,

  
Richard C. Howard,  
Town Manager

/pcm

cc: Board of Selectmen



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

May 16, 2016

Niranthari Vithiananthan  
20 Squire Road  
Winchester, MA 01890

Dear Mr. Niranthari:

Congratulations on being awarded a 2<sup>nd</sup> Place designation for your submission in the MWRA's 2016 Writing Contest "*Spreading the Word About Bay State Fertilizer*" an effort at educating students and families about the damage caused to Massachusetts lakes and streams by fertilizer run off.

The Town received formal notification of your award from the MWRA along with the names of other award recipients some of whom are also Winchester students.

Once again, on behalf of the Town of Winchester, my sincere congratulations for being a first place winner in the MWRA 2016 Writing Contest. Keep up the good work!

Sincerely,

Richard C. Howard,  
Town Manager

/pcm

cc: Board of Selectmen



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

May 16, 2016

Mr. Varun Swaminathan  
1 Andrea Circle  
Winchester, MA 01890

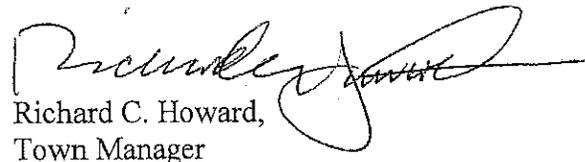
Dear Mr. Swaminathan:

Congratulations on being awarded an Honorable Mention designation for your submission in the MWRA's 2016 Writing Contest "*Spreading the Word About Bay State Fertilizer*" an effort at educating students and families about the damage caused to Massachusetts lakes and streams by fertilizer run off.

The Town received formal notification of your award from the MWRA along with the names of other award recipients some of whom are also Winchester students.

Once again, on behalf of the Town of Winchester, my sincere congratulations for being a first place winner in the MWRA 2016 Writing Contest. Keep up the good work!

Sincerely,



Richard C. Howard,  
Town Manager

/pcm

cc: Board of Selectmen



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

May 16, 2016

Ms. Jasmine Sun  
17 Florence Street  
Winchester, MA 01890

Dear Ms. Sun:

Congratulations on being awarded an Honorable Mention designation for your submission in the MWRA's 2016 Poster Contest "*Spreading the Word About Bay State Fertilizer*" an effort at educating students and families about the damage caused to Massachusetts lakes and streams by fertilizer run off.

The Town received formal notification of your award from the MWRA along with the names of other award recipients some of whom are also Winchester students.

Once again, on behalf of the Town of Winchester, my sincere congratulations for being a first place winner in the MWRA 2016 Writing Contest. Keep up the good work!

Sincerely,

Richard C. Howard,  
Town Manager

/pcm

cc: Board of Selectmen



# Town of Winchester

Richard C. Howard,  
Town Manager

Board of Selectmen  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

May 16, 2016

Ms. Milana Bellantuono  
161 Cross Street  
Winchester, MA 01890

Dear Ms. Bellantuono:

Congratulations on being awarded an Honorable Mention designation for your submission in the MWRA's 2016 Writing Contest "*Spreading the Word About Bay State Fertilizer*" an effort at educating students and families about the damage caused to Massachusetts lakes and streams by fertilizer run off.

The Town received formal notification of your award from the MWRA along with the names of other award recipients some of whom are also Winchester students.

Once again, on behalf of the Town of Winchester, my sincere congratulations for being a first place winner in the MWRA 2016 Writing Contest. Keep up the good work!

Sincerely,

Richard C. Howard,  
Town Manager

/pcm

cc: Board of Selectmen

Docket Item:

I - 3:

May 23, 2016



273 West Main Street, Norton, MA 02766 • Tel: (508) 226-1800 • Fax: (508) 226-1811 • [www.esm-inc.com](http://www.esm-inc.com)

May 6, 2016

Board of Selectmen  
Town of Winchester  
71 Mount Vernon Street  
Winchester, MA 01890

Board of Health  
Director Jennifer Murphy, MPH  
71 Mount Vernon Street  
Winchester, MA 01890

**Subject:** Former J. O. Whitten Site  
134 Cross Street  
Winchester, MA  
MassDEP RTN 3-0115

**Document:** Phase IV Status report

As required by the Massachusetts Contingency Plan, notice is hereby given that the above referenced document has been submitted electronically to the Massachusetts Department of Environmental Protection (MassDEP).

The purpose of this report is to provide a status update of Phase IV activities being completed under the Phase IV Remedy Implementation Plan.

The report can be viewed on line by selecting File Review/Site File Viewer at the MassDEP website (<http://public.dep.state.ma.us/fileviewer/Rtn.aspx?rtn=3-0115>) or by contacting the MassDEP Northeast Regional Office located at 205B Lowell Street in Wilmington, MA. The Northeast Regional Office service center phone number is 978-694-3200.

A copy of the report will also be provided to the Winchester Public Library J.O. Whitten Site Repository at 80 Washington Street.

If you have any questions, please contact our office at 508-226-1800.

Sincerely,  
Environmental Strategies & Management, Inc.

Joseph Callahan Project Manager

Copy: MassDEP Northeast Region

16 MAY 19 AM 11:57  
TOWN OF WINCHESTER  
TOWN MANAGER  
SECRET

