



TOWN OF WINCHESTER BOARD OF SELECTMEN'S MEETING

BOARD OF SELECTMEN MEETING ROOM

A. OPENING.....6:30PM

1. EXECUTIVE SESSION (Closed To Public).....6:35PM

1. Litigation – Eversource Intervener Status – MGL Ch. 30A §21(a)3 – Open Meeting discussion may have a detrimental effect on the litigating position of the Board of Selectmen as declared by the Chairman. – Siting Board Filing Update

2. Litigation - MGL Ch. 30A §21(a)3 – MS 4 Permit

2. 7:30 PM Notification Of Other Meetings And Hearings (Open To Public).....7:30PM

1. Monday, September 12, 2016
2. Wednesday, September 14, 2016 - work session

3. Chairman's Comments

4. Selectmen's Comments And Non-Docket Business

B. TOWN MANAGER REPORT AND COMMENTS

1. Skillings Field / Culvert update
2. Lead neck water lines
3. Council on Aging – Senior Citizen Community Service Reimbursement Program
4. Asa Fletcher Fund Working Group Update
5. Eversource Transmission Line
6. Appointment: DPW Custodian – Adam Hiscock
7. MIIA Rewards Announcement FY16

Documents:

[201608251448.PDF](#)

C. MATTERS FROM THE AUDIENCE

D. COMPTROLLERS REPORT

E. LICENSES

F. HEARINGS

1. 8:00PM Transfer Of Beer And Wine Package Store - Craft Beer Cellars

Documents:

[CRAFT BEER.PDF](#)

2. 8:15PM Wine And Malt Package Store License - D'Agostino Deli

Documents:

[DAGS LICENSE.PDF](#)

G. BUSINESS

1. Town Counsel Selection Advisory Committee Introduction

2. Review Of DRAFT Letter To MassHousing Re: Forest Ridge 40B Development

Documents:

[G2.PDF](#)

3. Disability Access Commission Reappointments - Sahar Ahmed, Agnieszka Jankowski-Durham, Barbara B. O'Connell

Documents:

[G3.PDF](#)

4. Council On Aging - Senior Citizen Community Service Reimbursement Program

Documents:

[G4.PDF](#)

5. Retiree Health Insurance - Extension Of Premium Rate For Post 2004 Retirees

Documents:

[G5.PDF](#)

6. Winchester Employee/Retiree Health Plan Survey

Documents:

[G6.PDF](#)

7. Water Bill - 56 Amberwood Drive

Documents:

[G7.PDF](#)

8. WHS Temporary Parking At Wildwood Cemetery

H. CONSENT AGENDA

1. Approval to close Mt. Vernon Street on Saturday, October 29, 2016 beginning at 10:00 AM for the Halloween Horribles Parade [closure from Quill Rotary to Mt. Vernon / Washington St. intersection];

2. Parade Permit – Saturday, October 29, 2016 – Halloween Horribles Parade - [Parade Route: behind Town Hall, down Mt. Vernon Street, crossing Main St. at Bookends, under the rail overpass at the Rotary and ending on the Town Common];

3. Approve / Correct Meeting Minutes: Monday, July 25, 2016

One Day Alcoholic Beverage License(s)

4. Derek Crooks of Caterstaff of Boston, Inc. – October 15, 2016 – Wright Locke Farm; Kathryn Scholl Bianco for Winchester Boat Club – September 1, 2016 – Winchester Boat Club;

Lauren LaFortune – September 10, 2016 – Temple Shir Tikvah;

Archie McIntyre for Wright Locke Farm – October 19, 2016 – 1827 Barn;

Archie McIntyre for Wright Locke Farm – September 10, 2016 – 1827 Barn;

Archie McIntyre for Wright Locke Farm – September 21, 2016 – 1827 Barn

5. Staging Permit Request – 17 Thompson Street

Documents:

[CONSENT.PDF](#)

I. COMMUNICATION AND WORKING GROUP REPORTS

1. Winchester MultiCultural Network – re: rules for Wildwood Cemetery gravesite decorations
2. Eversource Energy – Grant of Location request – Church Street / Fletcher Street
3. *Boston Globe* article: Beacon Hill must help local retailers
4. Memo from Town Manager re: Fall Town Meeting opening session
5. EFPBC Meeting Minutes: July 20, 2016 and July 25, 2016
6. Mark Flannery: Aerial Photographs of Forest Ridge 40B site

Documents:

CORR.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

Board of Selectmen Meeting
Monday, August 29, 2016

TOWN MANAGER REPORT AND COMMENTS

Docket Item **B-1:** Skillings Field / Culvert Update
B - 2: Lead neck water lines
B - 3: Council on Aging – Senior Citizen Community Service Reimbursement Program
B - 4: Asa Fletcher Fund Working Group Update
B - 5: Eversource Transmission Line
B - 6: Appointment: DPW Custodian – Adam Hiscock,*
119 Franklin Avenue, Chelsea, MA – SC7- Step 1
B - 7: MIIA Rewards Announcement FY16

Supporting Documents:

B - 1 - 5: Verbal Updates to be provided by Town Manager.
B - 6: Memo from Jay Gill, DPW Director

Action Required: **VOTE** to waive the 15 day appointment waiting period for Mr. Hiscock.

LICENSE ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF
THE TOWN OF WINCHESTER
MASSACHUSETTS
HEREBY GRANTS A

RETAIL PACKAGE GOODS STORE

License to Expose, Keep for Sale, and to Sell
WINE AND MALT LIQUOR ONLY

Not To Be Drunk On the Premises

To: Amberghini, Inc d/b/a Craft Beer Cellar, 18 Thompson Street

On the following described premises: Premises located at 18 Thompson St. is 400 sq. ft. of retail space and 165 sq. ft. of storage space in the basement. Sales floor is approximately 20 ft. by 20 ft. The only entrance to 18 Thompson St. is caddy-cornered facing both Thompson St. and Winchester Terrace

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires DECEMBER 31, 2016 unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 29th day of August 2016.

The Hours during which Alcoholic Beverages may be sold are:

*In accordance with the Town of Winchester
Retail Alcoholic Beverage
Rules and Regulations*

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Licensing Board



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
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**

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Winchester, MA

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual)

B. Business Name (if different) :

C. Manager of Record:

D. ABCC License Number (for existing licenses only) :

E. Address of Licensed Premises:

City/Town:

State:

Zip:

F. Business Phone:

G. Cell Phone:

H. Email:

I. Website:

J. Mailing address (If different from E.):

City/Town:

State:

Zip:

2. TRANSACTION:

- New License New Officer/Director Transfer of Stock Issuance of Stock Pledge of Stock
 Transfer of License New Stockholder Management/Operating Agreement Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual (6) Day to (7)-Day License Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- §12 Restaurant §12 Hotel §12 Club §12 Veterans Club §12 Continuing Care Retirement Community
 §12 General On-Premises §12 Tavern (No Sundays) §15 Package Store

4. LICENSE CATEGORY:

- All Alcoholic Beverages Wines & Malt Beverages Wines Malt
 Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- Annual Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: David Leshowitz
ADDRESS: 11 Flynn Street
CITY/TOWN: Natick STATE: MA ZIP CODE: 01760
CONTACT PHONE NUMBER: FAX NUMBER:
EMAIL: david.leshowitz@craftbeercellar.com

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises. Please note that this must be identical to the description on the Form 43. **Your description MUST include: number of floors, number of rooms on each floor, any outdoor areas to be included in licensed area, and total square footage.** i.e.: "Three story building, first floor to be licensed, 3 rooms, 1 entrance 2 exits (3200 sq ft); outdoor patio (1200 sq ft); Basement for storage (1200 sq ft). Total sq ft = 5600."

Premises located at 18 Thompson Street is 400 square feet of retail space and 165 square feet of storage space in the basement. Sales floor is approximately 20 feet by 20 feet. The only entrance to 18 Thompson Street is caddy-cornered, facing both Thompson Street and Winchester Terrace.

Total Square Footage: 400 Number of Entrances: 1 Number of Exits: 1
Occupancy Number: n/a Seating Capacity: n/a

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Sub-Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n): LLC Other:

Name: Craft Beer Initiative LLC Phone: 617.993.3214

Address: 51 Leonard Street City/Town: Belmont State: MA Zip: 02478

Initial Lease Term: Beginning Date 04.01.16 Ending Date 08.31.23

Renewal Term: 10 years Options/Extensions at: 5 years Years Each

Rent: \$21,995.16 Per Year Rent: 1832.93 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

If Yes, Landlord Entity must be listed in Question # 10 of this application.

If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n): Other :

If the applicant is a Corporation or LLC, complete the following: Date of Incorporation/Organization:

State of Incorporation/Organization:

Is the Corporation publicly traded? Yes No

10. INTERESTS IN THIS LICENSE:

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license.
IMPORTANT ATTACHMENTS (4):
 1. All individuals or entities listed below are required to complete a Personal Information Form.
 3. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form (unless they are a landlord entity)

Name	All Titles and Positions	Specific % Owned	Other Beneficial Interest
David Leshowitz	President, Amberghini Inc	50%	
Amanda Leshowitz	VP, Amberghini Inc	50%	
Suzanne L. Schalow	Member, Craft Beer Stellar		2% Monthly Mgmt Fees
Kathryn L. Baker	Member, Craft Beer Stellar		2% Monthly Mgmt Fees
Marla E. Yarid - De La Cruz	Member, Craft Beer Stellar		2% Monthly Mgmt Fees

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No **If yes, list said interest below:**

Name	License Type	Licensee Name & Address
Suzanne L. Schalow	<input type="text" value="\$15 Package Store"/>	Craft Beer Initiative, 51 Leonard St, Belmont, MA 02478; Craft Beer Stellar
Kathryn L. Baker	<input type="text" value="\$15 Package Store"/>	Craft Beer Initiative, 51 Leonard St, Belmont, MA 02478; Craft Beer Stellar
Marla E. Yarid - De La Cruz	<input type="text" value="\$15 Package Store"/>	Craft Beer Initiative, 51 Leonard St, Belmont, MA 02478; Craft Beer Stellar
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
Suzanne L. Schalow	Craft Beer Cellar Winchester, 18 Thompson Street, Winchester, MA 01890	06-13 - 11/14	Transferred <input type="button" value="v"/>
Kathryn L. Baker	Craft Beer Cellar Winchester, 18 Thompson Street, Winchester, MA	06/13 - 11/14	Transferred <input type="button" value="v"/>
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No
2. Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
3. Is the License Manager a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

1. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

1. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	\$30,000
B. Purchase Price for Business Assets:	\$0
C. Costs of Renovations/Construction:	\$0
D. Initial Start-Up Costs:	\$5,000
E. Purchase Price for Inventory:	\$10,000
F. Other: (Specify)	\$0
G: TOTAL COST	\$45,000
H. TOTAL CASH	\$45,000
I. TOTAL AMOUNT FINANCED	\$0

IMPORTANT ATTACHMENTS (5): Any individual, LLC, corporate entity, etc. providing funds of \$50,000 or greater towards this transaction, must provide proof of the source of said funds. Proof may consist of three consecutive months of bank statements with a minimum balance of the amount described, a letter from your financial institution stating there are sufficient funds to cover the amount described, loan documentation, or other documentation.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

The above costs will be paid in full via personal funds.

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

A.

Name	Dollar Amount	Type of Financing
n/a	n/a	n/a

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §17 or §18 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom: n/a

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

n/a

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

n/a

IMPORTANT ATTACHMENTS (6): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

21. ANTICIPATED OPENING DATE: Currently Open & Operating

IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED

CORPORATE VOTE FORM

DATE: 06.24.16

At a meeting of the Board of Directors of (name of Corporation),
Mike Fidler Inc, held at
(address of meeting) 11 Newton Road, Arlington, MA 02474, on
(date of meeting) 06.01.16, it was duly voted that the Corporation apply to the Licensing

Board for the City of Boston for (insert action/matter/license being applied for):
(Town of Winchester and State of MA): Transfer of Liquor License of Craft Beer Cellar, 18 Thompson
Street, Winchester, MA 01890 to Ambergheni, Inc.

The Directors:

"VOTED: To authorize (name of person) David Leshowitz
to sign the application submitted in the name of (name of Corporation) _____
Ambergheni, Inc, and to execute in the Corporation's behalf, any
necessary papers and do all things required to have the application granted."

"VOTED: To appoint (name of person) David Leshowitz
of (name of business/Corporation) Ambergheni, Inc as its
manager or principal representative, and hereby grant him/her with full authority and control of the premises described in the
license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise
if it were a natural person residing in the Commonwealth of Massachusetts."

"VOTED: That a copy of this vote duly certified by the Clerk of the Corporation and delivered to the manager
appointed, or principal representative, shall constitute the written authority required by G. L. c. 138, § 26."

It is hereby certified that all the Directors of (name of Corporation),
Mike Fidler, Inc, a Corporation
duly organized under the laws of the Commonwealth of Massachusetts, are citizens of the United States and a majority are
residents of the Commonwealth of Massachusetts.

This Corporation has (insert "not," if applicable) not been dissolved.

A true copy attest,



Corporation Clerk's signature

Amberghini, Inc.

CERTIFICATE OF CORPORATE VOTE

This document certifies that on January 31, 2016, a special meeting of the Board of Directors of Amberghini, Inc., was held at the 11 Flynn St, Natick, MA 01760. All members of the Corporation's board of directors being present and voting, it was unanimously voted to appoint the following as board members:

President: David Leshowitz 11 Flynn St, Natick, Ma 01760

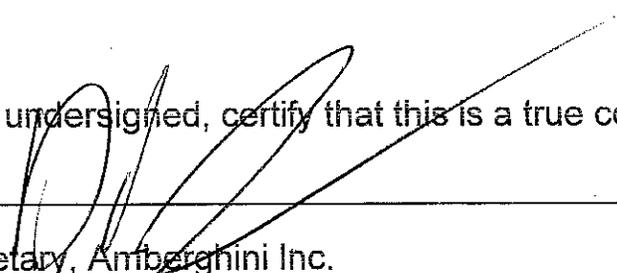
Treasurer: David Leshowitz 11 Flynn St, Natick, Ma 01760

Secretary: David Leshowitz 11 Flynn St, Natick, Ma 01760

Director: David Leshowitz 11 Flynn St, Natick, Ma 01760

Furthermore, the Board of Directors appoint David Leshowitz with the powers and authority to enter into legal contracts on behalf of the Amberghni, Inc.

I, the undersigned, certify that this is a true copy.


Secretary, Amberghini Inc.



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: Phone Number of Premise:
 (If existing licensee)

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 US 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. 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 Date



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	<input type="text" value="Amberghini Inc"/>	B. Business Name (dba)	<input type="text" value="Craft Beer Cellar Winchester"/>
C. Address	<input type="text" value="18 Thompson Street"/>	D. ABCC License Number (If existing licensee)	<input type="text" value="2152"/>
E. City/Town	<input type="text" value="Winchester"/>	State	<input type="text" value="MA"/> Zip Code <input type="text" value="01890"/>
F. Phone Number of Premise	<input type="text" value="781.369.1174"/>	G. EIN of License	<input type="text" value="81-1140390"/>

2. PERSONAL INFORMATION:

A. Individual Name	<input type="text" value="David Leshowitz"/>	B. Home Phone Number	<input type="text"/>
C. Address	<input type="text" value="11 Flynn Street"/>		
D. City/Town	<input type="text" value="Natick"/>	State	<input type="text" value="MA"/> Zip Code <input type="text" value="01760"/>
E. Social Security Number	<input type="text"/>	F. Date of Birth	<input type="text" value="01.09.76"/>
G. Place of Employment	<input type="text" value="Management Recruiters Inc, The Boston Group"/>		

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.

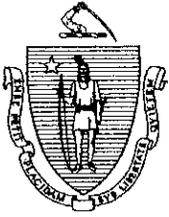
4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license (i.e. percentage ownership).

*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	<input type="text" value="[Handwritten Signature]"/>	Date	<input type="text" value="04.26.16"/>
Title	<input type="text" value="President, Amberghini Inc"/> (If Corporation/LLC Representative)		



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	Craft Beer Initiative LLC	B. Business Name (dba)	Craft Beer Cellar Belmont
C. Address	51 Leonard Street	D. ABCC License Number (If existing licensee)	008800019
E. City/Town	Belmont	State	MA
		Zip Code	02478
F. Phone Number of Premise	617.932.1885	G. EIN of License	27-2685563

2. PERSONAL INFORMATION:

A. Individual Name	Marla E. Yarid - De La Cruz	B. Home Phone Number	
C. Address	517 Prospect Street		
D. City/Town	Methuen	State	MA
		Zip Code	01844
E. Social Security Number		F. Date of Birth	01.06.76
G. Place of Employment	Craft Beer Initiative LLC & Craft Beer Stellar; 33.3% Member		

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.

I am a 33.3% Member of both Craft Beer Initiative LLC and Craft Beer Stellar LLC (Franchise Company)

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	04.26.16
Title	Member	(If Corporation/LLC Representative)	



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 Boston, MA 02114
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PERSONAL INFORMATION FORM

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

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Craft Beer Initiative LLC	B. Business Name (dba)	Craft Beer Cellar Belmont
C. Address	51 Leonard Street	D. ABCC License Number (If existing licensee)	008800019
E. City/Town	Belmont	State	MA Zip Code 02478
F. Phone Number of Premise	617.932.1885	G. EIN of License	27-2685563

2. PERSONAL INFORMATION:

A. Individual Name	Suzanne L. Schalow	B. Home Phone Number	
C. Address	80 Fawcett Street, Unit 153		
D. City/Town	Cambridge	State	MA Zip Code 02138
E. Social Security Number		F. Date of Birth	12.18.69
G. Place of Employment	Craft Beer Initiative LLC & Craft Beer Stellar; 33.3% Member		

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.

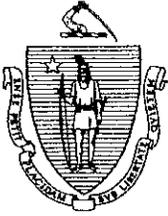
4. FINANCIAL INTEREST:

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

I am a 33.3% Member of both Craft Beer Initiative LLC and Craft Beer Stellar LLC (Franchise Company)

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	04.26.16
Title	Member	(If Corporation/LLC Representative)	



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	Craft Beer Initiative LLC	B. Business Name (dba)	Craft Beer Cellar Belmont
C. Address	51 Leonard Street	D. ABCC License Number (If existing licensee)	008800019
E. City/Town	Belmont	State	MA Zip Code 02478
F. Phone Number of Premise	617.932.1885	G. EIN of License	27-2685563

2. PERSONAL INFORMATION:

A. Individual Name	Kathryn L. Baker	B. Home Phone Number	
C. Address	80 Fawcett Street, Unit 153		
D. City/Town	Cambridge	State	MA Zip Code 02138
E. Social Security Number		F. Date of Birth	12.13.68
G. Place of Employment	Craft Beer Initiative LLC & Craft Beer Stellar; 33.3% Member		

3. BACKGROUND INFORMATION:



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

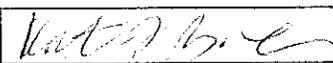
If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

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

I am a 33.3% Member of both Craft Beer Initiative LLC and Craft Beer Stellar LLC (Franchise Company)

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 04.26.16

Title Member (If Corporation/LLC Representative)



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

PETITION FOR TRANSFER OF OWNERSHIP

2152
 ABCC License Number

Winchester
 City/Town

The licensee Mike Fidler Inc and the proposed transferee Amberghen Inc respectfully petition the Licensing Authorities to approve the following transfer of ownership.

Is the PRESENT licensee a Corporation/LLC duly registered under the laws of the Commonwealth of Massachusetts?
 Yes No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

Name	Title	Address	Stock or % Owned
David Leshowitz	President	11 Newton Road, Arlington, MA 02474	100%

Is the PROPOSED transferee a Corporation/LLC, duly registered under the laws of the Commonwealth of Massachusetts?
 Yes No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

TO: (Place an * before the name of each DIRECTOR/LLC Manager.)

Name	Title	Address	Stock or % Owned
David Leshowitz	President	11 Flynn Street, Natlck, MA 01760	50%
Amanda Leshowitz	Vice President	11 Flynn Street, Natlck, MA 01760	50%

The above named proposed transferee hereby joins in this petition for transfer of said license.

SIGNATURE OF LAST-APPROVED LICENSEE: [Signature]
 (If a Corporation/LLC, by its authorized representative)

Date Signed 06.24.16

SIGNATURE OF PROPOSED TRANSFEREE: [Signature]

APPLICANT'S STATEMENT

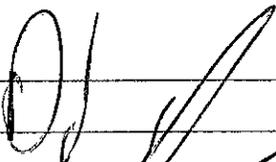
I, David Leshowitz the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of Amberghini Inc, hereby submit this application for Wines & Malt Beverage License Transfer
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: 
Title: President, Amberghini Inc

Date: 04.26.16

AFFIDAVIT OF NOTICE OF MAILING TO ABUTTER AND OTHERS

To the Licensing Board

For the

Date

I, hereby certify that the following is a true list of the persons shown upon the Assessor's most recent valuation list as the owners of the property abutting the proposed location for an alcoholic beverages license at:

And that the following schools, churches or hospitals are located within the radius of five hundred (500) feet from said proposed location:

If there are none, please so state:

I also certify that the notice of this application/petition concerning an alcoholic beverages license was given to the above by mailing to each of them within three (3) days after publication of same, a copy of the advertisement is attached below. Also attached are the registered receipts/return registered receipts bearing signatures of persons receiving said notice.

Signed and subscribed to under the penalties of perjuries:

Printed: _____

Written: _____

Date:

Notary Public: _____

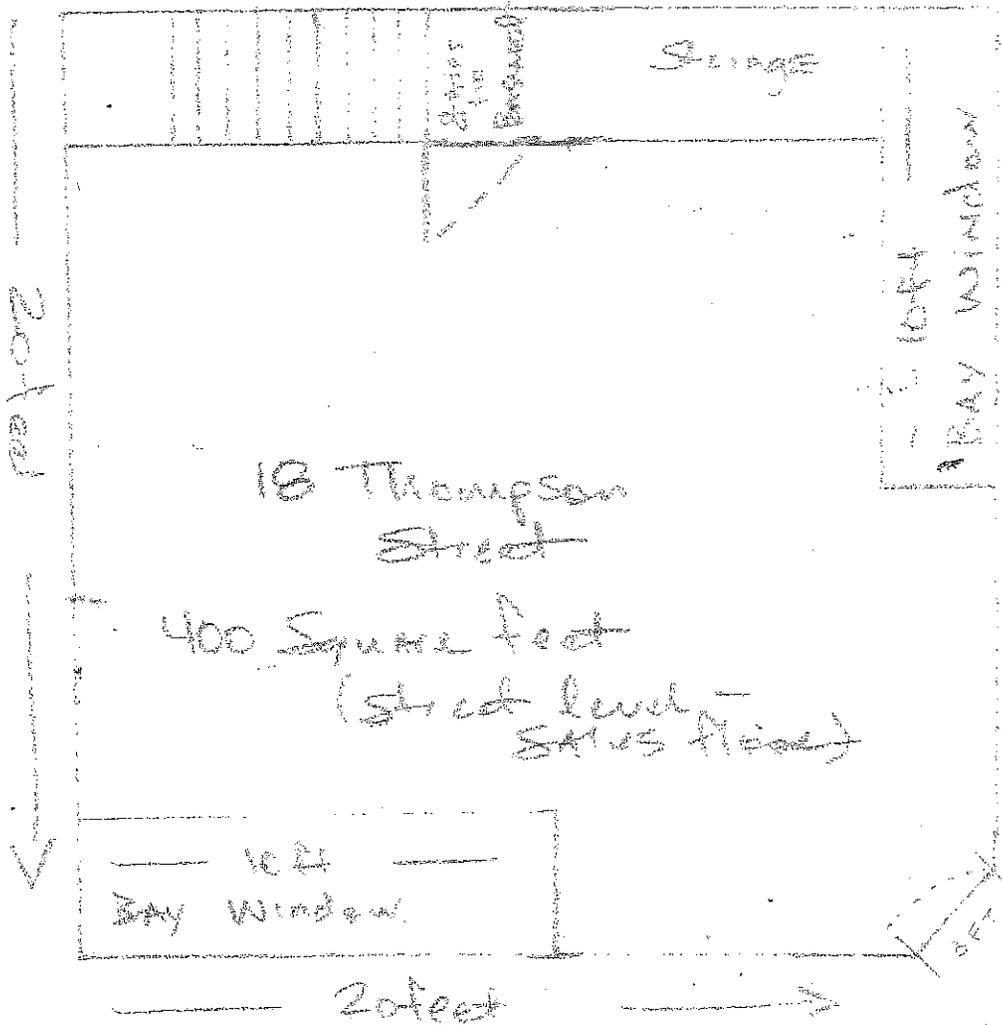
My Commission Expires: _____

Please Attach Advertisement and Receipts

Additional Space

Please note which question you are using this space for.

A large, empty rectangular box with a thin black border, occupying most of the page below the text. It is intended for students to provide additional space for their answers, with the instruction to note which question they are using it for.



Craft Beer Cellar

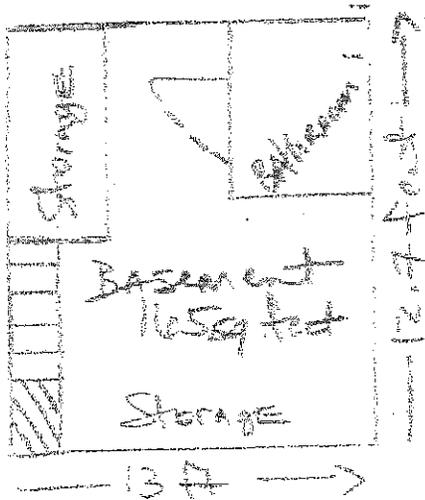
18 Thompson Street

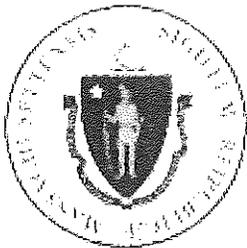
Winchester, MA

01890

1st Floor - 400 Sq feet

Basement - 165 Sq feet





**The Commonwealth of Massachusetts
William Francis Galvin**

Minimum Fee: \$250.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Articles of Organization

(General Laws, Chapter 156D, Section 2.02; 950 CMR 113.16)

Identification Number: 001207228

ARTICLE I

The exact name of the corporation is:

AMBERGHINI INC

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

ARTICLE III

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding
		Num of Shares	Total Par Value	Num of Shares
CNP	\$0.00000	100,000	\$0.00	100,000

G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

ARTICLE V

The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

THERE ARE NO RESTRICTIONS.

ARTICLE VI

Other lawful provisions, and if there are no provisions, this article may be left blank.

Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.

ARTICLE VII

The effective date of organization and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a *later* effective date is desired, specify such date, which may not be later than the *90th day* after the articles are received for filing.

Later Effective Date: Time:

ARTICLE VIII

The information contained in Article VIII is not a permanent part of the Articles of Organization.

a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:

Name: DAVID RHEE
No. and Street: 47 ELIOT ST
City or Town: NATICK State: MA Zip: 01760 Country: USA

c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	DAVID LESHOWITZ	11 FLYNN ST NATICK, MA 01760 USA
TREASURER	DAVID LESHOWITZ	11 FLYNN ST NATICK, MA 01760 USA
SECRETARY	DAVID LESHOWITZ	11 FLYNN ST NATICK, MA 01760 USA
DIRECTOR	DAVID LESHOWITZ	11 FLYNN ST NATICK, MA 01760 USA

d. The fiscal year end (i.e., tax year) of the corporation:
December

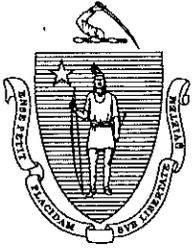
e. A brief description of the type of business in which the corporation intends to engage:

OPERATION OF RETAIL STORES

f. The street address (post office boxes are not acceptable) of the principal office of the corporation:

No. and Street: 11 FLYNN ST
City or Town: NATICK State: MA Zip: 01760 Country: USA

g. Street address where the records of the corporation required to be kept in the Commonwealth are located (post office boxes are not acceptable):



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

April 6, 2016

TO WHOM IT MAY CONCERN:

I hereby certify that according to the records of this office,

AMBERGHINI INC

is a domestic corporation organized on **January 26, 2016**, under the General Laws of the Commonwealth of Massachusetts.

I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156D section 14.21 for said corporation's dissolution; that articles of dissolution have not been filed by said corporation; that, said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

William Francis Galvin

Secretary of the Commonwealth



MASSACHUSETTS DEPARTMENT OF REVENUE
PO BOX 7044
BOSTON, MA 02204
CONTACT CENTER
(617) 887-6367

Letter ID: L1444382720
Notice Date: February 25, 2016
Case ID: 0-000-114-100

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



MIKE FIDLER INCORPORATED
18 THOMPSON ST
WINCHESTER MA 01890-2904

Why did you receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, MIKE FIDLER INCORPORATED is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

Where can you find additional information?

Visit our website at mass.gov/dor for one-stop access to taxpayer information. You can learn more about state tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights and the appeals process.

You can file your returns, make payments and manage your account at mass.gov/masstaxconnect. You may also contact us by phone at (617) 887-6367 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Charlene Hannaford
Acting Deputy Commissioner

PURCHASE AGREEMENT

Craft Beer Cellar

18 Thompson St, Winchester, MA 01890
(781) 369-1174

Date: January 14th, 2016

Page: 1 of 3

1. This is an Offer from **DRL P. PIPER INC.** (Purchaser) to purchase certain assets of the business commonly known as Craft Beer Cellar located at 18 Thompson Street, Winchester, MA 01890.

2. Purchased Assets.
 - 2.1 Purchaser shall purchase from Seller and Seller shall sell to Purchaser all of the tangible assets owned and used by Seller (the "Assets"), free and clear of all liens, judgments and encumbrances whatsoever, including, furniture, fixtures and equipment (Exhibit A), leasehold rights, supplies, customer lists and those assets set forth on Exhibit A attached hereto (the "Assets").
 - 2.2 The Assets shall not include the following: cash, deposits, marketable securities, and other similar Investments.
 - 2.3 Purchaser shall assume responsibility for paying distributors for all inventory which has been financed by the distributor(s), which varies, depending on weekly purchases and payments.

3. Purchase Price.
 - 3.1 The total purchase price to be paid for the Assets is **\$30,000** (the "Purchase Price")
 - 3.2 Franchise Transfer Fee of \$4,000 will be split between purchaser and seller.

5. Conditions of Sale:
 - a. This Agreement is contingent upon Purchaser attaining approval to operate a Craft Beer Cellar franchise from franchisor, which has been given at the time of this Agreement.
 - b. This Agreement is contingent upon Purchaser signing a sublease assignment for the property as 18 Thompson Street in Winchester, MA.
 - c. This Agreement is contingent upon Purchaser obtaining a transfer of / a new liquor license to operate the subject business. Purchaser shall apply for liquor license and pay all expenses relative to issuance of such license within thirty (30) days of acceptance of this Agreement, and do so with intent to be awarded the license. Application is

P.I.
S.I.

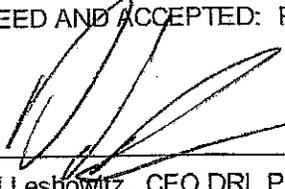
attached. The business will remain in Mike Fidler's possession and daily business responsibility, until David Leshowitz has legal right to operate an establishment with an Alcohol License. If for some unforeseen reason David is not allowed this privilege, all monies will be refunded (within 7 days) and Purchase Agreement becomes null and void.

6. Seller warrants that at the time physical possession is delivered to Purchaser, all equipment will be in working order and that the premises will pass all inspections necessary to conduct such business.
7. This agreement, and any other exhibits and / or addenda attached hereto and signed by the parties, constitutes the entire agreement; there are no oral understandings or representations being relied upon by the parties. Any modifications must be in writing and signed by the parties to this Agreement.
8. From and after the date of this Purchase Agreement, Seller will conduct and operate its business only in the ordinary course consistent with past practices so as to protect such business and to maintain the goodwill it now enjoys, and will use all reasonable efforts to keep available its present employees and its relationship with suppliers, customers, etc.

Purchaser And Seller Individually Acknowledge Receipt Of A Copy Of This Agreement. This Is A Legally Binding Document, Read It Carefully.

AGREED AND ACCEPTED: PURCHASER

X

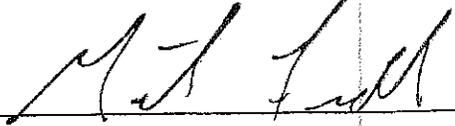


David Leshowitz, CEO DRL P.PIPER INC.

DATE: 1/14/16, 2016

AGREED AND ACCEPTED: SELLER

X



Mike Fidler INC

DATE: 1-14-16, 2016

P.I. 

S.I. 

EXHIBIT A

**Equipment Inventory List
Décor List
Misc**

Shelving

Shelving Units for Storage (Basement)

Outdoor Sign

TV

Service Counter

Cooler

Two Refrigeration Units

Drop Safe

Alarm Equipment & Keypad

Telephone(s)

Sound System

Brother Print/Fax/Copy/Scan

Dell Computer (and all its hardware & software components)

Mats, Stool, Ladder, and Flag Pole

All Offices Supplies

(including label maker, tape, tape dispenser, tape gun for packing, stapler, pens, markers, etc)

All Paper Supplies (including bags, tissue paper for wrapping, paper towels, etc)

All Cleaning Supplies

All Decorative Beer Signs, Brewery Racks, etc

Customer Lists

Assignment of Craft Beer Cellar Franchise Agreement

This Assignment of the Craft Beer Cellar Franchise Agreement ("Assignment") is made this 21st day of January 2016 by and between Mike Fidler Inc and Amberghini Inc.

Whereas, on August 12th, 2013, Mike Fidler Inc entered into a Franchise Agreement ("Franchise Agreement") with Craft Beer Stellar, LLC.

Whereas, Mike Fidler Inc desires to assign their right, title and interest in and to the Franchise Agreement to Amberghini Inc.

Therefore, Mike Fidler Inc hereby assigns Amberghini Inc all right, title and interest in and to the Franchise Agreement, and Amberghini Inc hereby assumes all responsibilities of Mike Fidler Inc under the Franchise Agreement.

Dated this 21st day of January, 2016

Mike Fidler Inc

Mike Fidler

Amberghini Inc

[Signature] 1/21/16

Craft Beer Stellar, LLC

[Signature]
Sharon Schalow
Managing Member
01. 21. 16

Sublease Form

This is an agreement to sublet real property according to the terms specified below.

The sublessor agrees to sublet and the subtenant agrees to take the premises described below. Both parties agree to keep, perform, and fulfill the promises, conditions and agreements expressed below.

- The sublessor is (who is moving out) Capt Beer Initiative LLC
- The subtenant is (who is moving in) Ambrogini INC
- The location of the premises is (address) 18 Thompson St, Winchester, MA 01890
- The term of this sublease is (in months) 89 beginning (month/day/year) 01 April, 2016 and ending (month/day/year) 31 August, 2023
- The rent is \$ _____ per month, payable in advance on the 1st day of the month, payable to Capt Beer Initiative LLC at address 51 Leonard Street, Belmont, MA 02478
- The sublease agreement will terminate on (month/day/year) 08 / 31 / 2023. There shall be no holding over under the terms of this sublease agreement under any circumstances.
- All charges for utilities connected with premises which are to be paid by the sublessor under the master lease shall be paid by the subtenant for the term of this sublease.
- Subtenant agrees to surrender and deliver to the sublessor the premises in as good of condition as they were at the beginning of the term, reasonable wear and tear excepted. The subtenant will be liable to the sublessor for any damages occurring to the premises or the contents thereof or to the building which are done by the subtenant or his/her guests.
- Subtenant agrees to pay to sublessor a deposit of \$ 0 to cover damages beyond normal wear and tear, unpaid rent, and unpaid utilities. Sublessor agrees that if the premises and contents thereof are returned to him/her in the same condition as when received by the subtenant, reasonable wear and tear thereof excepted, and if there is no unpaid rent or unpaid utility bills owed by subtenant, she will refund to the subtenant \$ 0 at the end of the term, or within 30 days thereafter. Any reason for retaining a portion of the deposit shall be explained in writing within 30 days to the subtenant.
- The sublessor will provide the subtenant with a check-in sheet within three (3) days after the time the sublessor takes possession of the unit/premises.
- The sublease agreement incorporates and is subject to the original lease agreement between the sublessor and his lessor, a copy of which is attached hereto, and which is hereby referred to and incorporated as if it were set out here at length. The subtenant agrees to assume all of the obligations and responsibilities of the sublessor under the original lease for the duration of the sublease agreement.
- The words "sublessor" and "subtenant" as used herein include the plural as well as the singular, no regard for gender is intended by the language of this sublease.

Base
KCF
ORC

Other terms and conditions All inclusive rent: \$1832.93 (including
NAP's and heat). Rental payment increases by
at least 3% each year on the 1st of
July. 3.5% (Triple Net Expenses 100% per the terms
of the lease)

- This lease constitutes the sole agreement between the parties and no additions, deletions, or modifications may be accomplished without the written consent of both parties. (Any oral representations made at the time of executing this lease are not legally valid, and therefore, are not binding upon either party.)
- If the subtenant is under 18 years of age, then his/her legal guardian or parent guardian and agrees to perform all of the terms, covenants and conditions of this sublease by affixing his/her signature.
- Each party signing this sublease acknowledges receipt of a copy thereof.
- This sublease is not binding upon either party unless approved by the landlord as provided below, provided such approval is required by the original lease.

ORC
KCF

The parties hereby bind themselves to this agreement by their signatures
affixed below on this 23rd day of January, 20 16.

Sublessor(s)
[Signature]
Sumner S. Sultow
Managing Member

Subtenant(s)
[Signature]
David Leshowitz
Ankerberg Inc.

(Parent or guardian for subtenant under 18 years of age.)

I hereby give my consent as landlord to subletting of the above described premises as set out in this sublease agreement.
Locatelli's Winchester Realty Trust

Landlord or agent [Signature] Date 3/22/16

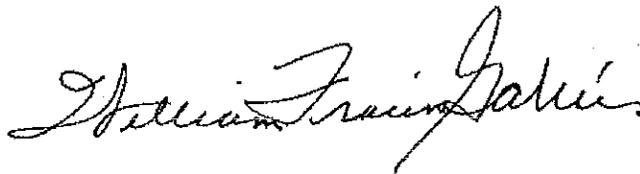
Original Lease Attached	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Inventory Check List Attached	<input type="checkbox"/> YES	<input type="checkbox"/> NO

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

January 26, 2016 04:13 PM

A handwritten signature in cursive script, reading "William Francis Galvin".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



**TOWN OF WINCHESTER
BOARD OF SELECTMEN - GENERAL LICENSE APPLICATION**

This is a general application for a license that the Board of Selectmen may grant. All license applications to the Winchester Board of Selectmen must be accompanied by the following information.

Indicate if license is: New ___ Transfer X Change of d/b/a ___ Other _____

List type of license(s) applying for:

- | | |
|--|---|
| <input type="checkbox"/> Common Victualler _____ | <input type="checkbox"/> Food Vendor _____ |
| <input checked="" type="checkbox"/> Package Store All Alcohol _____ | <input checked="" type="checkbox"/> Package Store Wine & Malt _____ |
| <input type="checkbox"/> Restaurant All Alcohol (100 seats) _____ | <input type="checkbox"/> Restaurant All Alcohol (70 seats) _____ |
| <input type="checkbox"/> Restaurant Wine & Malt _____ | <input type="checkbox"/> Club All Alcohol _____ |
| <input type="checkbox"/> Class I Auto Sales: _____ | <input type="checkbox"/> Class II Auto Sales: _____ |
| <input type="checkbox"/> Vehicle for Hire/Taxi No of Vehicles: _____ | <input type="checkbox"/> Fortune Teller _____ |
| <input type="checkbox"/> Annual Entertainment _____ | <input type="checkbox"/> Automatic Amusement _____ |

Business Name (legal): Amborghini INC dba: CRAFT BEER CELLAR Winchester

Please attach copy of business certificate if applying as dba or individual. If business is a corporation or LLC, please attach:

1. Certificate of Good Standing from the Secretary of State's Office.
2. Corporate Vote authorizing business at the location.

Address of licensed premises (include zip code): 18 Thompson Street

Mailing address (if different than above address): _____

Name of individual/applicant authorized to apply for license: David Leshowitz

Business tel. no. of applicant: 781.369.1174 Business email: David.Leshowitz@craftbeer cellar.com

F.E.I.N. (F.I.N.) 81-1140390

Please check one of the following: own premises lease premises property under P&S

Name and address of property owner if different from license holder:

Locatelli Properties, 67 Leonard Street, Belmont, MA 02478
Name Address

If applicable, please attach copy of lease and/or Purchase and Sales Agreement.

Do you currently hold a similar license? No What type? _____

Have you previously applied for a license? (Yes) _____ (No) X

Town of Winchester General Application

Have you ever had a license revoked? (Yes) _____ (No) X If yes, please indicate why:

If there is a building or structure associated with the license, please submit the following (preferably on 8 1/2 x 11" paper - no larger than 8 1/2 x 14"):

- 1. Floor plan (include seating area), and
- 2. Site plan indicating parking areas and access to Town ways.

If applying for a Class I or Class II license, please submit a plot plan that shows:

- 1. The number of the vehicles on display
- 2. The exact location of the vehicles
- 3. Customer parking
- 4. Office area

Proposed hours of operation:

Monday 11-8 Tuesday 11-8 Wednesday 11-8
 Thursday 11-8 Friday 11-9
 Saturday 10-9 Sunday 12-6

Has the applicant operated a similar business? (if applicable) no

Name of Business: _____
 Address: _____
 Federal Tax No. (if applicable): _____

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state and local taxes required by law.

Date: Oct. 23. 14 Signature: [Signature]

I certify that I have read through the conditions included with this license and agree to comply with any further stipulations that the Licensing Authority may from time to time approve. I also hereby authorize the Licensing Authority or their agent to conduct whatever investigation or inquiry is necessary to verify the information contained in this application.

Date: Oct. 23. 14 Signature: [Signature]

Please contact the Selectmen's Office at 781-721-7133 if you have any questions regarding this application form.

THE COMMONWEALTH OF MASSACHUSETTS

of
APPLICATION FOR LICENSE
(GENERAL)

No. _____

TO THE LICENSING AUTHORITIES:

The undersigned hereby applies for a License in accordance with the provisions of the Statutes relating thereto

Amberghini Inc, dba Craft Beer Cellar Winchester,
18 Thompson Street, Winchester, MA 01890
(Full name of person, firm or corporation making application)

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To Transfer of Wine + Matt Beverage
Section 15 License from Mike Fidler Inc
to AMBERGHINI INC

GIVE LOCATION
BY STREET
AND NUMBER

At 18 Thompson Street, Winchester, MA 01890

in said City of Winchester
Town

in accordance with the rules and regulations made under authority of said Statutes.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

+ [Signature]
Signature of Individual
or Corporate Name (Mandatory)

+ [Signature]
By: Corporate Officer
(Mandatory, if Applicable)

81-140390
** Social Security #
or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c. 62C s. 49A.

Received _____
Hour A.M. _____
P.M. _____

Signature of Applicant

Address

Approved _____

License Granted _____

Cafarella, Jennifer

From: Tracy, Sheila
Sent: Wednesday, June 29, 2016 8:37 AM
To: Cafarella, Jennifer
Subject: RE: Change of ownership - Craft Beer Cellars

Jenn,
There is nothing owed on this business
Sheila

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

From: Cafarella, Jennifer
Sent: Tuesday, June 28, 2016 12:04 PM
To: pmacdonnell@winchesterpd.org; Wile, John; Tracy, Sheila
Subject: Change of ownership - Craft Beer Cellars

All,

Attached is an application for the new owner of Craft Beer Cellars. Please review and send your comments to me. I plan on having them on the Selectmen's docket on July 25th.

Thank you,
Jenn

Cafarella, Jennifer

From: Wile, John
Sent: Tuesday, June 28, 2016 1:26 PM
To: Cafarella, Jennifer; pmacdonnell@winchesterpd.org; Tracy, Sheila
Subject: RE: Change of ownership - Craft Beer Cellars

I have no issues with his. Al

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

From: Cafarella, Jennifer
Sent: Tuesday, June 28, 2016 12:04 PM
To: pmacdonnell@winchesterpd.org; Wile, John <jwile@winchester.us>; Tracy, Sheila <stracy@winchester.us>
Subject: Change of ownership - Craft Beer Cellars

All,

Attached is an application for the new owner of Craft Beer Cellars. Please review and send your comments to me. I plan on having them on the Selectmen's docket on July 25th.

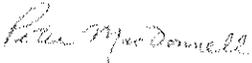
Thank you,
Jenn

Cafarella, Jennifer

From: Barbara Bosco <bbosco@winchesterpd.org>
Sent: Tuesday, August 23, 2016 1:21 PM
To: Cafarella, Jennifer
Cc: Peter MacDonnell; Barbara Bosco
Subject: FW: Change of ownership - Craft Beer Cellars
Attachments: 201606281213.pdf

August 23, 2016

The Winchester Police Department has no objection with the requested transfer of package store license from Michael Fiddler at the Craft beer Cellar at 18 Thompson Street to David Leshowitz.



Peter MacDonnell
Chief of Police

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

From: Cafarella, Jennifer [mailto:jcafarella@winchester.us]
Sent: Tuesday, August 23, 2016 9:21 AM
To: Peter MacDonnell
Cc: Barbara Bosco
Subject: FW: Change of ownership - Craft Beer Cellars

Chief,

Can I please have your comments? They are going before the Board on Monday night.

Thanks -
Jenn

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

From: Cafarella, Jennifer
Sent: Tuesday, June 28, 2016 12:04 PM
To: pmacdonnell@winchesterpd.org; Wile, John; Tracy, Sheila
Subject: Change of ownership - Craft Beer Cellars

All,

Attached is an application for the new owner of Craft Beer Cellars. Please review and send your comments to me. I plan on having them on the Selectmen's docket on July 25th.

Thank you,



Town of Winche

Docket Item:
F - 2:
August 29, 2016

me
71 Mt. Vernon Street
Winchester, MA 01890
Phone: 781-721-7133
Fax: 781-756-0500
townmanager@winchester.ma.gov

TOWN OF WINCHESTER

NOTICE OF PUBLIC HEARING

The Winchester Board of Selectmen will hold a public hearing on **Monday, August 29, 2016 at 8:15 PM** in the Board of Selectmen's Meeting Room, 2nd Floor of Town Hall, on the application of Frasa, Inc. d/b/a D'Agostino Deli located at 9-11 Waterfield Road for a Wine and Malt Package Store License with the Town of Winchester.

The Public is invited to attend.

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



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

For Reconsideration

FORM 43
 MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

ABCC License Number

Winchester
 City/Town

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input checked="" 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 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 EIN of Licensee

D/B/A Manager

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

Granted under Special Legislation? Yes No
 Annual or Seasonal Category: (All Alcohol; Wine & Malt; Wine, Malt & Cordials; Wine; Malt) Type: (Restaurant, Club, Package Store, General On Premises, Etc.)
 If Yes, Chapter Year

Complete Description of Licensed Premises:

2 Story Building, first floor to be licensed, three rooms, one entrance, two exits (1,700 square feet); basement for storage (1,700 square feet). Total square footage=3,400 square feet.

Application Filed: Advertiser: Abutters Notified: Yes No
 Date & Time Date & Attach Publication

Licensee Contact Person for Transaction Phone:

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

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

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

12682

IF USED EPAY, CONFIRMATION NUMBER

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

LICENSEE NAME

Frasa, Inc.

ADDRESS

9-11 Waterfield Road

CITY/TOWN

Winchester

STATE MA

ZIP CODE

01890

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

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town Winchester

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Frasa, Inc.

B. Business Name (if different): D'Agostino's Deli C. Manager of Record: Michael D'Agostino

D. ABCC License Number (for existing licenses only):

E. Address of Licensed Premises: 9-11 Waterfield Road City/Town: Winchester State: MA Zip: 01890

F. Business Phone: 781-729-7984 G. Cell Phone:

H. Email: I. Website: http://www.dagostinos-deli.com/

J. Mailing address (If different from E.): 28 Church Street, Ste. 16 City/Town: Winchester State: MA Zip: 01890

2. TRANSACTION:

- Checked: New License, Unchecked: New Officer/Director, Transfer of Stock, Issuance of Stock, Pledge of Stock, Transfer of License, New Stockholder, Management/Operating Agreement, Pledge of License

The following transactions must be processed as new licenses:

- Unchecked: Seasonal to Annual, (6) Day to (7)-Day License, Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- Checked: \$15 Package Store, Unchecked: \$12 Restaurant, \$12 Hotel, \$12 Club, \$12 Veterans Club, \$12 Continuing Care Retirement Community, \$12 General On-Premises, \$12 Tavern (No Sundays)

4. LICENSE CATEGORY:

- Checked: Wines & Malt Beverages, Unchecked: All Alcoholic Beverages, Wines, Malt, Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- Checked: Annual, Unchecked: Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME:

ADDRESS:

CITY/TOWN: STATE: ZIP CODE:

CONTACT PHONE NUMBER: FAX NUMBER:

EMAIL:

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises. Please note that this must be identical to the description on the Form 43. **Your description MUST include: number of floors, number of rooms on each floor, any outdoor areas to be included in licensed area, and total square footage.** i.e.: "Three story building, first floor to be licensed, 3 rooms, 1 entrance 2 exits (3200 sq ft); outdoor patio (1200 sq ft); Basement for storage (1200 sq ft). Total sq ft = 5600."

Total Square Footage: Number of Entrances: Number of Exits:

Occupancy Number: Seating Capacity:

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises?

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n): Other:

Name: Phone:

Address: City/Town: State: Zip:

Initial Lease Term: Beginning Date Ending Date

Renewal Term: Options/Extensions at: Years Each

Rent: Per Year Rent: Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

If Yes, Landlord Entity must be listed in Question # 10 of this application.

If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

Corporation

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

10/30/1979

State of Incorporation/Organization: Massachusetts

Is the Corporation publicly traded? Yes No

10. INTERESTS IN THIS LICENSE:

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (4):

A. All individuals or entities listed below are required to complete a Personal Information Form.

B. All shareholders, LLC members or other individuals with any ownership in this license must complete a COR! Release Form (unless they are a landlord entity)

Name	All Titles and Positions	Specific % Owned	Other Beneficial Interest
Samuel R. D'Agostino	President, Director	50 percent	
Ralph D'Agostino	Treasurer, Secretary Director	50 percent	
Michael D'Agostino	Manager		

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list said interest below:

Name	License Type	Licensee Name & Address
	Please Select	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No
2. Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
3. Is the License Manager a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	
B. Purchase Price for Business Assets:	
C. Costs of Renovations/Construction:	\$150,000.00
D. Initial Start-Up Costs:	\$10,000.00
E. Purchase Price for Inventory:	\$20,000.00
F. Other: (Specify)	
G: TOTAL COST	\$180,000.00
H. TOTAL CASH	\$180,000.00
I. TOTAL AMOUNT FINANCED	\$0.00

IMPORTANT ATTACHMENTS (5): Any individual, LLC, corporate entity, etc. providing funds of \$50,000 or greater towards this transaction, must provide proof of the source of said funds. Proof may consist of three consecutive months of bank statements with a minimum balance of the amount described, a letter from your financial institution stating there are sufficient funds to cover the amount described, loan documentation, or other documentation.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

Self-funded

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

Name	Dollar Amount	Type of Financing
N/A		

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §17 or §18 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom:

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS (6): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

Replacement of refrigeration, new shelving, new lighting and three new coolers.

21. ANTICIPATED OPENING DATE: September 1, 2016

**IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED**



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 US 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. 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

Date



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	Frasa, Inc.	B. Business Name (dba)	D'Agostino Deli
C. Address	28 Church Street, Suite 16	D. ABCC License Number (If existing licensee)	
E. City/Town	Winchester	State	MA
		Zip Code	01890
F. Phone Number of Premise	781-729-7984	G. EIN of License	042-71-1104

2. PERSONAL INFORMATION:

A. Individual Name	Michael D'Agostino	B. Home Phone Number	cell
C. Address	12 Moran Road		
D. City/Town	Lynnfield	State	MA
		Zip Code	01940
E. Social Security Number		F. Date of Birth	...
G. Place of Employment	9-11 Waterfield Road, Winchester, MA 01890		

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.

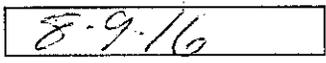
4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license (i.e. percentage ownership).

None

*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 

Title  (If Corporation/LLC Representative)



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

B. Business Name (dba)

C. Address

D. ABCC License Number
(If existing licensee)

E. City/Town

State

Zip Code

F. Phone Number of Premise

G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name

B. Home Phone Number

C. Address

D. City/Town

State

Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

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 (i.e. percentage ownership).

50% interest

*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

Title

(If Corporation/LLC Representative)



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

B. Business Name (dba)

C. Address

D. ABCC License Number
(If existing licensee)

E. City/Town

State Zip Code

F. Phone Number of Premise

G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name

B. Home Phone Number

C. Address

D. City/Town

State Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

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 (i.e. percentage ownership).

50% interest

*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

Title

(If Corporation/LLC Representative)

APPLICANT'S STATEMENT

I, Samuel D'Agostino the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of Frasa, Inc., hereby submit this application for Wine and Malt License
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature:

Samuel D'Agostino

Date:

08/08/16

Title:

President

AFFIDAVIT OF NOTICE OF MAILING TO ABUTTER AND OTHERS

To the Licensing Board

For the Town of Winchester

Date

I, Lawrence M. Murray hereby certify that the following is a true list of the persons shown upon the Assessor's most recent valuation list as the owners of the property abutting the proposed location for an alcoholic beverages license at: 9-11 Waterfield Road, Winchester, MA

And that the following schools, churches or hospitals are located within the radius of five hundred (500) feet from said proposed location:

If there are none, please so state:

I also certify that the notice of this application/petition concerning an alcoholic beverages license was given to the above by mailing to each of them within three (3) days after publication of same, a copy of the advertisement is attached below. Also attached are the registered receipts/return registered receipts bearing signatures of persons receiving said notice.

Signed and subscribed to under the penalties of perjuries:

Printed: _____

Written: _____

Date:

Notary Public: _____

My Commission Expires: _____

Additional Space

Please note which question you are using this space for.

A large, empty rectangular box with a thin black border, occupying most of the page below the text. It is intended for students to provide additional space for their answers, with the instruction to note which question they are using it for.

**UNANIMOUS CONSENT OF BOARD OF DIRECTORS
IN LIEU OF SPECIAL MEETING
FRASA, INC.**

Unanimous consent of the Directors in Lieu of a Special Meeting of the Board of Directors, dated July 27, 2016.

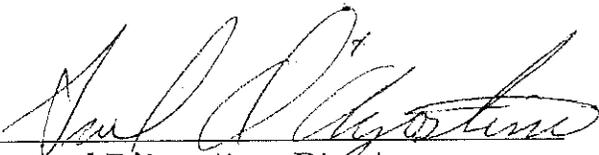
The undersigned, being all of the Directors of Frasa, Inc. a Massachusetts Corporation, agree that the following corporate action be taken:

The Corporation is authorized and directed to apply to the Town of Winchester and the Commonwealth of Massachusetts Alcoholic Beverage Control Commission for a license to sell beer and wine at 9-11 Waterfield Road, Winchester, Massachusetts and to appoint Michael A. D'Agostino of 12 Morgan Road, Lynnfield, Massachusetts as Manager.

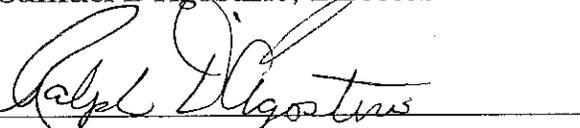
And to take any other appropriate action in order to accomplish obtaining the said licenses from the Town of Winchester and the Commonwealth of Massachusetts Alcoholic Beverage Control Commission.

All with like effect and validity as though the foregoing corporate action was duly taken by the unanimous action of all directors at a meeting of said directors duly called and legally held.

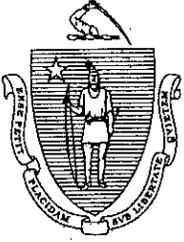
Signed and sealed this 27th day of July, 2016.



Samuel D'Agostino, Director



Ralph D'Agostino, Director



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

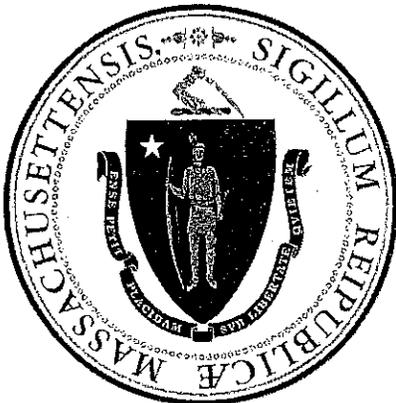
William Francis Galvin
Secretary of the
Commonwealth

Date: June 24, 2016

To Whom It May Concern :

I hereby certify that according to the records of this office,
FRASA, INC.

is a domestic corporation organized on **November 02, 1979** , under the General Laws of the Commonwealth of Massachusetts. I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156D section 14.21 for said corporation's dissolution; that articles of dissolution have not been filed by said corporation; that, said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

William Francis Galvin

Secretary of the Commonwealth

Certificate Number: 16060159790

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by: nmc

The Commonwealth of Massachusetts

MICHAEL JOSEPH CONNOLLY

Secretary of State

ONE ASHBURTON PLACE, BOSTON, MASS. 02108

ARTICLES OF ORGANIZATION

(Under G.L. Ch. 156B)

Incorporators

W
Examiner

NAME

POST OFFICE ADDRESS

Include given name in full in case of natural persons; in case of a corporation, give state of incorporation.

SAMUEL R. D'AGOSTINO, 8 Cathy Road, Burlington, MA.

FRANCES D'AGOSTINO 8 Cathy Road, Burlington, MA.

The above-named incorporator(s) do hereby associate (themselves) with the intention of forming a corporation under the provisions of General Laws, Chapter 156B and hereby state(s):

1. The name by which the corporation shall be known is:

FRASA, INC. ✓

2. The purpose for which the corporation is formed is as follows:

To maintain a market for the purchase, sale, and delivery of meats, poultry, game, vegetables, groceries, and all kinds of food supplies, and the preparation and packaging of said items in the form of sandwiches and grinders for sale to the public, as well as the acquisition of all tools, implements, paraphernalia, and real estate necessary for said purposes.

To own and operate a package store department for such sales ancillary to the operation of the above market; to acquire, hold, and manage real property or leasehold interests to house such liquor departments and for storage or garage space occupied in the same connection; to acquire such sales or distribution licenses, in its corporate name or in the names of individuals managing such market, as may be appropriate under the licensing laws, for the sale of all types of malt, venous, and/or spirituous liquors, as the nature of the particular market's business may require or permit; to enter into appropriate contracts with the owner and/or manager of grocery, department, or drug stores, or other concerns of any kind, for the operation of liquor sales stores on a departmental, franchise, or cooperative basis; and to do all the other acts necessary or reasonably appropriate to a liquor sales business.

To do any and all things permitted under the laws of the Commonwealth of Massachusetts.

7-306015

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper leaving a left hand margin of at least 1 inch for binding. Additions to more than one article may be continued on a single sheet so long as each article requiring such such addition is clearly indicated.

Name
Approved

C
P
M
R.A.

5

P.C.

3. The total number of shares and the par value, if any, of each class of stock within the corporation is authorized as follows:

CLASS OF STOCK	WITHOUT PAR VALUE	WITH PAR VALUE		
	NUMBER OF SHARES	NUMBER OF SHARES	PAR VALUE	AMOUNT
Preferred				\$
Common	12,500			

*4. If more than one class is authorized, a description of each of the different classes of stock with, if any, the preferences, voting powers, qualifications, special or relative rights or privileges as to each class thereof and any series now established:

NONE

*5. The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are as follows:

See page 2a attached hereto.

*6. Other lawful provisions, if any, for the conduct and regulation of business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders:

NONE

*If there are no provisions state "None".

Any stockholder, including the heirs, assigns, executors or administrators of a deceased stockholder, desiring to sell or transfer such stock owned by him or them, shall first offer it to the corporation through the Board of Directors, in the manner following:

He shall notify the directors of his desire to sell or transfer by notice in writing, which notice shall contain the price of which he is willing to sell or transfer and the name of one arbitrator. The directors shall, within thirty days thereafter, either accept the offer, or by notice to him in writing name a second arbitrator, and these two shall name a third. It shall then be the duty of the arbitrators to ascertain the value of the stock, and if any arbitrator shall neglect or refuse to appear at any meeting appointed by the arbitrators, a majority may act in the absence of such arbitrator.

After the acceptance of the offer, or the report of the arbitrators as to the value of the stock, the directors shall have thirty days within which to purchase the same at such valuation, but if at the expiration of thirty days, the corporation shall not have exercised the right so to purchase, the owner of the stock shall be at liberty to dispose of the same in any manner he may see fit.

No shares of stock shall be paid or transferred on the books of the corporation until these provisions have been complied with, but the Board of Directors may in any particular instance waive the requirement.

The directors may fix in advance a record date for determining the stockholders having the right to notice of and to vote at any meeting of the stockholders or adjournment thereof or the right to receive a dividend or other distribution or any other rights specified in Chapter 185 of the Acts and Resolves of the Commonwealth of Massachusetts of 1953 and in such case, only stockholders of record on such record date shall have such rights notwithstanding any transfer of stock on the books of the corporation after such record date and all as specified in said statute.

7. By-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk, whose names are set out below, have been duly elected.
8. The effective date of organization of the corporation shall be the date of filing with the Secretary of the Commonwealth or if later date is desired, specify date. (not more than 30 days after the date of filing.)
9. The following information shall not for any purpose be treated as a permanent part of the Articles of Organization of the corporation.
 - a. The post office address of the initial principal office of the corporation of Massachusetts is:
 39 Riverside Avenue, Medford, MA. 02155
 - b. The name, residence, and post office address of each of the initial directors and following officers of the corporation are as follows:

	NAME	RESIDENCE	POST OFFICE ADDRESS
President:	SAMUEL R. D'AGOSTINO,	8 Cathy Road, Burlington, MA.	same
Treasurer:	SAMUEL R. D'AGOSTINO,	8 Cathy Road, Burlington, MA.	same
Clerk:	FRANCES D'AGOSTINO,	8 Cathy Road, Burlington, MA.	same
Directors:	SAMUEL R. D'AGOSTINO,	8 Cathy Road, Burlington, MA.	same
	FRANCES D'AGOSTINO,	8 Cathy Road, Burlington, MA.	same

- c. The date initially adopted on which the corporation's fiscal year ends is:
 October 31
- d. The date initially fixed in the by-laws for the annual meeting of stockholders of the corporation is:
 Second Wednesday in November
- e. The name and business address of the resident agent, if any, of the corporation is:

IN WITNESS WHEREOF and under the penalties of perjury the INCORPORATOR(S) sign(s) these Articles of Organization this 30th day of October, 1979.

Samuel R. D'Agostino

The signature of each incorporator which is not a natural person must be an individual who shall show the capacity in which he acts and by signing shall represent under the penalties of perjury that he is duly authorized on its behalf to sign these Articles of Organization.

152172

SECRETARY OF THE
COMMONWEALTH

NOV -1 PM 3:05 THE COMMONWEALTH OF MASSACHUSETTS
CORPORATION DIVISION

ARTICLES OF ORGANIZATION

GENERAL LAWS, CHAPTER 156B, SECTION 12

A TRUE COPY ATTEST
William Francis Galvin
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
6-28-2016
DATE CLERK *[Signature]*

I hereby certify that, upon an examination of the within-written articles of organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$125⁰⁰ having been paid, said articles are deemed to have been filed with me this 2nd day of November 1979.

Effective date

Michael Joseph Connolly

MICHAEL JOSEPH CONNOLLY
Secretary of State

PHOTO COPY OF ARTICLES OF ORGANIZATION TO BE SENT
TO BE FILLED IN BY CORPORATION

TO:

.. Michael V. Pinelli, Esq.
.. 335 Main Street
.. Stoneham, MA.. 02180
Telephone .. 458-3990

FILING FEE: 1/20 of 1% of the total amount of the authorized capital stock with par value, and one cent a share for all authorized shares without par value, but not less than \$125, General Laws, Chapter 156B. Shares of stock with a par value less than one dollar shall be deemed to have par value of one dollar per share.

FILE 001

FROM THE LAW OFFICES OF:
RUSSO & SCOLNICK
TWO OLIVER STREET, FOURTH FLOOR
BOSTON, MASSACHUSETTS 02109-4901
(617) 542-7700

COMMERCIAL LEASE

1. PARTIES

Ronald B. Surabian, Trustee of Waterfield Realty Trust, 36 Church Street, Winchester, MA 01890, LESSOR, which expression shall include his successors, heirs, and assigns (LESSOR), does hereby lease to Frasa, Inc., D/B/A D'Agostino's Delicatessen of 11 Waterfield Road, Winchester, MA 01890 (LESSEE).

2. PREMISES

LESSEE hereby leases the following described premises from the LESSOR: The retail space located at 9 and 11 Waterfield Road, Winchester, MA 01890 and the basement of said premises, together with the right to use in common, with others entitled thereto, the hallways, and stairways, necessary for access to said leased premises, and lavatories nearest thereto. All in "As Is" condition, including the basement.

3. TERM

The term of this lease shall be for five (5) years commencing on May 1, 2016 and ending on April 30, 2021. This Lease shall not be recorded by the LESSEE.

4. RENT

The LESSEE shall pay to the LESSOR, rent for said premises as follows:

BASE RENT

LEASE YEAR

5/1/16 through 4/30/21

RENT RATE

\$44,460.00 (\$3,705.00 per month)

All rent shall be due and payable, in advance, on the first day of each month.

5. UTILITIES

The LESSEE shall pay, as they become due, all bills for electricity and other utilities (whether they are used for furnishing heat or other purposes) that are furnished to the leased premises and presently separately metered, and all bills for fuel furnished to a separate tank servicing the lease premises exclusively. Notwithstanding the requirements of the LESSEE to pay for operating expenses, pursuant to Paragraph #21, the LESSEE shall pay for the water and sewer usage to said premises, no later than ten (10) days from receipt of said bill.

LESSOR shall have no obligation to provide utilities or equipment other than the utilities and equipment within the premises as of the commencement date of this lease. In the event LESSEE requires additional utilities or equipment, the installation and maintenance thereof shall be the LESSEE'S sole obligation, provided that such installation shall be subject to the written consent of the LESSOR.

6. USE OF LEASED
PREMISES

The LESSEE shall use the leased premises only for the purpose of a retail store, selling only dry groceries and delicatessen items, not including the sale of fresh meat, nor fresh seafood, nor food nor beverages of any kind to be consumed on said premises, including making coffee, tea, or any other beverage, and for no other purpose. LESSEE shall be allowed to install and use one (1) electric oven.

7. COMPLIANCE
WITH LAWS

The LESSEE acknowledges that no trade or occupation shall be conducted in the leased premises or use made thereof which will be unlawful, improper, noisy or offensive, or contrary to any law or any municipal by-law or ordinance in force in The Town of Winchester, MA, or the Commonwealth of Massachusetts.

8. FIRE INSURANCE THE LESSEE shall not permit any use of the leased premises which the leased premises are a part, or on the contents of said property or which shall be contrary to any law or regulation from time to time established by the New England Fire Insurance Rating Association, or any similar body succeeding to its powers. The LESSEE shall on demand reimburse the LESSOR, and all other tenants, all extra insurance premiums caused by the LESSEE'S improper or unlawful use of the premises.

9. MAINTENANCE The LESSEE agrees to maintain the interior of leased premises in good condition, reasonable wear and tear, excepted damage by fire and other casualty only excepted, and whenever necessary, to replace plate glass and other glass therein, and the glass whole. The LESSEE shall not permit the leased premises to be overloaded, damaged, stripped, or defaced, nor suffer any waste. LESSEE shall obtain written consent of LESSOR before erecting any sign on the premises, which consent shall not be unreasonably withheld, and shall comply with any and all laws of the Town of Winchester, MA. LESSEE shall not install any awnings. The LESSOR agrees to maintain the structure of the building of which the leased premises are a part in the same condition as it is at the commencement of the term or as it may be put in during the term of this lease, reasonable wear and tear, damage by fire and other casualty only excepted, unless such maintenance is required because of the LESSEE or those for whose conduct the LESSEE is legally responsible. LESSEE shall be responsible for the upkeep, maintenance, and repair, if necessary, of the heating and air conditioning systems servicing said premises, and all expenses related thereto. The LESSOR shall be responsible for the removal of snow and ice from the sidewalks surrounding the leased premises, at its cost and expense. The LESSEE shall be responsible and liable for any blockage of pipes associated with said premises and the entire building, of

which said premises forms a part. The LESSEE shall repair the cracked side plane of glass, at its sole cost and expense.

10. ALTERATIONS
AND ADDITIONS

The LESSEE may make nonstructural alterations or additions to the leased premises, provided the LESSOR consents thereto in writing, which consent shall not be unreasonably withheld or delayed. All such allowed alterations shall be at LESSEE'S expense and shall be in quality at least equal to the present construction. LESSEE shall not permit any mechanics' liens, or similar liens, to remain upon the leased premises for labor and material furnished to LESSEE or claimed to have been performed at the direction of LESSEE and shall cause any such lien to be released of record forthwith without cost to LESSOR. Any alterations or improvements made by the LESSEE shall become the property of the LESSOR at the termination of occupancy as provided herein. LESSEE shall comply with any and all laws of the Town of Winchester, MA and the Commonwealth of Massachusetts.

All construction work in the Leased Premises by LESSEE or its contractors shall be done in a good and workmanlike manner and in compliance with the Lease, all applicable laws and ordinances, regulations and orders of governmental authority and insurers of the Building. Before LESSEE begins any work, it shall secure all licenses and permits necessary therefor and cause each contractor to carry (1) worker's compensation insurance in statutory amounts covering all the contractor's and subcontractor's employees, and (2) commercial general liability insurance with such limits as LESSOR may reasonable require, but in no event less than \$2,000,000.00, with property damage insurance with limits of not less than \$2,000,000.00 (all such insurance to be written in companies approved by

LESSOR and insuring LESSOR and LESSEE as well as the contractors, and to deliver to LESSOR certificates of all such insurance; and secure builders risk insurance against loss or damage to LESSEE's work pending completion and deliver evidence of such insurance to LESSOR. LESSEE agrees to pay promptly when due the entire cost of any work done in the premises by LESSEE, its agents, employees or independent contractors, and not to cause or permit any liens for labor or materials performed or furnished in connection with its work to attach to the Premises and immediately to discharge any such liens which may attach.

LESSOR may inspect the work at any time. LESSEE shall indemnify LESSOR and hold it harmless from and against any cost, claim, or liability arising from any work done by or at the direction of LESSEE. All work shall be done so as to minimize interference with other LESSEES and with LESSOR's operation of the Building or other construction work being done by LESSOR. LESSOR agrees to assist LESSEE, if necessary, in obtaining permits or licenses required in order for LESSEE to commence construction within Leased Premises. LESSEE shall only install and use electrical appliances and equipment in said premises. The installation of a gas line is strictly prohibited.

In furtherance hereof, LESSEE shall furnish to LESSOR copies of all plans, architectural or otherwise for his written approval, prior to the commencement of any work. LESSOR here by grants to the LESSEE permission to remove the wall between 9 and 11 Waterfield Rd., provided same is non-load bearing.

11. ASSIGNMENT

SUB-LEASING

The LESSEE shall not assign or sublet the whole or any part of the leased premises without LESSOR'S prior written consent, which consent shall not

be unreasonably withheld. Notwithstanding such consent, LESSEE and the GUARANTOR shall remain liable to LESSOR for the payment of all rent and for the full performance of the covenants and conditions of this lease.

12. SUBORDINATION This lease shall be subject and subordinate to any and all mortgages, deeds of trust and other instruments in the nature of a mortgage, now or at any time hereafter, a lien or liens on the property of which the leased premises are a part, and the LESSEE shall, when requested, promptly execute and deliver such written instruments as shall be necessary to show the subordination of this lease to said mortgages, deeds of trust or other such instruments in the nature of a mortgage.

13. LESSOR'S
ACCESS

The LESSOR or agents of the LESSOR may, at reasonable times, enter to view the leased premises and make repairs and alterations as LESSOR should elect to do and may show the leased premises to others, at any time within three (3) months before the expiration of the term, and may affix to any suitable part of the leased premises a notice for letting or selling the leased premises or property of which the leased premises are a part and keep the same so affixed without hindrance or molestation.

In furtherance hereof, LESSOR shall provide LESSOR with keys to said premises, along with access to security codes, if any, on or before it opens for business.

14. INDEMNIFICATION AND LIABILITY The LESSEE shall save the LESSOR harmless from all loss and damage occasioned by the use or escape of water or by the bursting of pipes.

15. LESSEE'S LIABILITY INSURANCE The LESSEE shall maintain, with respect to the leased premises and the property of which the leased premises are a part, comprehensive public liability insurance in the amount of \$3,000,000.00 with property damage insurance in

limits of \$2,000,000.00, in responsible companies qualified to do business in Massachusetts and in good standing therein insuring the LESSOR as well as LESSEE against injury to persons or damage to property as provided. The LESSEE shall deposit with the LESSOR certificates for such insurance at or prior to the commencement of the term, and thereafter within thirty (30) days prior to the expiration of any such policies. All such insurance certificates shall provide that such policies shall not be canceled without at least ten (10) days prior written notice to each assured named therein.

16. FIRE, CASUALTY
EMINENT DOMAIN

Should a substantial portion of the leased premises, or of the property of which they are a part, be substantially damaged by fire or other casualty, or be taken by eminent domain, the LESSOR may elect to terminate this lease. When any fire, casualty, or taking renders the leased premises unsuitable for their intended use, a just and proportionate abatement of rent shall be made, and the LESSEE may elect to terminate this lease if:

- (a) The LESSOR fails to give written notice within thirty (30) days of intention to restore leased premises, or
- (b) The LESSOR fails to restore the leased premises to a condition substantially suitable for their intended use within ninety (90) days of said fire, casualty or taking.

and the building to a condition substantially suitable for their intended use within ninety (90) days of said fire, casualty or taking.

The LESSOR reserves, and the LESSEE grants to the LESSOR, all rights which the LESSEE may have for damages or injury to the leased premises

for any taking by eminent domain, except for damage to the LESSEE's fixtures, property, or equipment.

17. DEFAULT AND
BANKRUPTCY

In the event that:

(a) The LESSEE shall default in the payment of any installment of rent; or

(b) The LESSEE shall default in the observance or performance of any other of the LESSEE's covenants, agreements, or obligations hereunder; or

(c) The LESSEE shall be declared bankrupt or insolvent according to law, or, if any assignment shall be made of LESSEE's property for the benefit of creditors, then the LESSOR shall have the right thereafter, while such default continues, to re-enter and take complete possession of the leased premises, to declare the term of this lease ended, and remove the LESSEE's effects without prejudice to any remedies which might be otherwise used for arrears of rent or other default. The LESSEE shall indemnify the LESSOR against all loss of rent and other payments which the LESSOR may incur by reason of such termination during the residue of the term. If the LESSEE shall default, the LESSOR, without being under any obligation to do so and without thereby waiving such default, may remedy such default for the account and at the expense of the LESSEE. If the LESSOR makes any expenditures or incurs any obligations for the payment of money in connection therewith, including but not limited to, reasonable attorney's fees in instituting, prosecuting or defending any action or proceeding, such sums paid or obligations insured, with interest at the rate of 12 per cent per annum

and costs, shall be paid to the LESSOR by the LESSEE as additional rent.

The LESSEE shall have thirty (30) days to cure any default hereunder, after receipt from the LESSOR of any notice of default.

18. NOTICE

Any notice from the LESSOR to the LESSEE relating to the leased premises or to the occupancy thereof, shall be deemed duly served, if mailed to the leased premises, registered or certified mail, return receipt requested, postage prepaid, addressed to the LESSEE, or in any manner as authorized by law..

Any notice from the LESSEE to the LESSOR relating to the leased premises or to the occupancy thereof, shall be deemed duly served, if mailed to the LESSOR by registered or certified mail, return receipt requested, postage prepaid, addressed to the LESSOR at 36 Church Street, Winchester, MA 01890, or at any other address as LESSOR may from time to time advise in writing. All rent notices shall be paid and sent to the LESSOR at 36 Church Street, Winchester, MA 01890.

19. SURRENDER

The LESSEE shall at the expiration or other termination of this lease remove all LESSEE's goods and effects from the leased premises, (including, without hereby limiting the generality of the foregoing, all signs and lettering affixed or painted by the LESSEE, either inside or outside the leased premises). LESSEE shall deliver to the LESSOR the leased premises and all keys, locks thereto, and other fixtures connected therewith and all alterations and additions made to or upon the leased premises, in good condition, damage by fire or other casualty only excepted. In the event of the LESSEE's failure to remove any of LESSEE's property from the premises, LESSOR is hereby authorized, without liability to LESSEE for loss or damage thereto, and at the sole risk of LESSEE, to remove and store any of the

property at LESSEE's expense, or to retain same under LESSOR's control or to sell at public or private sale, without notice any or all of the property not so removed and to apply the net proceeds of such sale to the payment of any sum due hereunder, or to destroy such property.

20. NO DEDUCTIONS All rent shall be absolutely net to LESSOR so that this Lease shall yield to Lessor the full amount of the installments thereof throughout the Lease Term without deduction. All Rent shall be paid to LESSOR without notice, demand, counterclaim, set off, deduction or defense, and nothing shall suspend, defer, diminish, abate or reduce any Rent, except as otherwise specifically provided in this Lease.

21. OPERATING EXPENSES LESSEE shall pay to LESSOR, as additional rent an amount equal to LESSEE's Share of Operating Expenses for each year or part thereof during the Lease Term, with appropriate apportionment for a part of a year occurring at the beginning or end of the Lease Term. As used herein, "LESSEE'S Share" shall mean twenty (20) per cent of the entire bill for the entire building, of which the demised premises forms a part. LESSEE shall pay LESSEE'S Share of Operating Expenses as follows: no later than ten (10) days from the receipt of bill from the LESSOR. Operating Expenses shall include, but shall not be limited to: all taxes, assessments (including without limitation all assessments for public improvements or benefits, whether or not commenced or completed prior to the date hereof and whether or not to be completed within the Lease Term), water and sewer rents and charges, charges for public utilities, excises, levies, license fees, permit fees, inspection fees and other authorization fees, real estate taxes, and other charges of every nature and kind whatsoever (including all interest and penalties thereon), which at any time during or in respect of the Lease

Term may be assessed, levied, charged, confirmed or imposed on or in respect of or be a lien upon the Demised Premises or any part thereof.

22. LIMITED
LIABILITY

If the original or any successor LESSOR shall convey or otherwise dispose of the Land and Improvements, LESSOR shall thereupon be released from all obligations and liabilities of LESSOR under this Lease (except those accruing prior to such conveyance or other disposition), and such obligations and liabilities shall be binding solely on the then owner of the Land and Improvements. In any action brought to enforce the obligations or liabilities of LESSOR under this Lease, any judgment or decree shall be enforceable against LESSOR only to the extent of LESSOR'S interest in the Land and Improvements, and no such judgment shall be the basis of execution on, or be a lien on, assets of LESSOR other than that of LESSOR'S interest in the Land and Improvements.

23. BROKER

LESSEE represents and warrants to the LESSOR that it has not dealt with any broker or finder in connection with the Demised Premises or this Lease. LESSEE agrees to indemnify and hold the LESSOR harmless from and against any and all commission, liability, claim, loss, damage or expense, including reasonable attorneys' fees, arising from any claims for any other brokerage or any other fee or commission by any person with whom such party has dealt.

24. CHANGES

This Lease may be changed or modified only by an instrument in writing signed by the party against whom enforcement of such change or modification is sought.

25. RUBBISH

The LESSEE shall remove and pay for the removal of all rubbish from said premises, on at least a weekly basis, or sooner if required by the LESSOR or the Town of

Winchester, MA.

26. EXTERMIN-
ATION

The LESSEE shall exterminate the premises from the existence of any vermin, rodents, insects etc., as needed, and in any event, at least four (4) times each year, or sooner if requested by the LESSOR or the Town of Winchester, MA.

27. PARKING

The LESSEE shall not park, nor shall allow its business invitees, guests, employees, etc. to park, any motor vehicles on any land owned by the LESSOR, including but not limited to, the land behind said premises, without prior written permission of the LESSOR.

28. NEW OWNER

If during the term of the Lease, LESSOR decides to sell land and building which comprises said premises, then the LESSOR shall notify the new owner of the existence and contents of this Lease.

29. OCCUPANCY

LESSEE shall be allowed to commence operations of its business upon the issuance of any and all permits, as required by the Town of Winchester, MA.

30. DEPOSITS

The LESSEE shall pay to the LESSOR upon execution of this Lease, the sum of \$3,705.00 as rent for the month of May, 2016; LESSOR acknowledges holding \$1,500.00 as a security deposit, from the LESSEE, which shall not be held in escrow, nor shall any interest be paid thereon to the LESSEE.

31. CLEANING

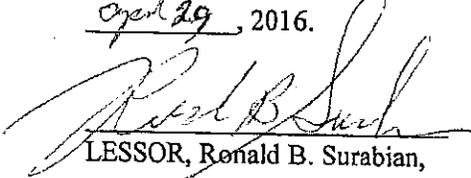
It is expressly agreed and understood that the LESSEE shall be responsible for the cleaning of said premises, including but not limited to the windows, doors, etc., and also for the emptying and disposal of any trash or rubbish baskets in said premises.

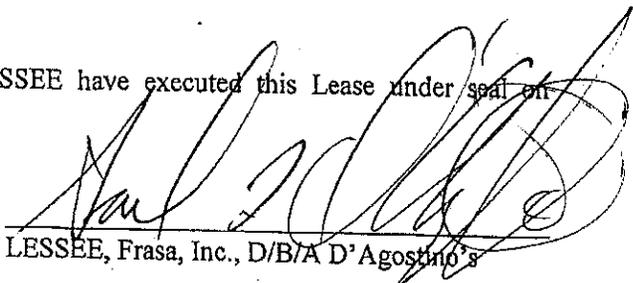
32. USE OF NAME In the event the LESSEE does business at said premises in a name other than its own, LESSEE agrees and understand that both itself and whatever business name or entity it uses at said premises, shall both be liable and responsible for any and all terms of this Lease.

33. OPTION TO EXTEND LESSEE shall have the option to extend the lease term for two (2) additional Five (5) Year Options, subject to all of the terms, covenants and conditions of this lease, at a rental amount of \$3,805.00 per month for the First (5) Year Option and at a comparable rental amount for similar properties in Winchester, MA 01890, at the time of the exercise of said Second Five (5) Year Option, but in any event, not less than \$3,805.00 per month.

To be effective, LESSEE must give LESSOR written notice of LESSEE'S election to extend the lease term not less than six (6) months prior to the expiration of the then existing Lease, or Option Period, as the case may be. LESSEE'S right to extend the Lease Term or Option Term, as the case may be, shall be conditioned upon there being no default by LESSEE in the observance or performance of any of the terms, covenants and conditions of this Lease either at the time of the exercise of the option or on the expiration of the then existing Lease Term or Option Term. Also, LESSEE shall execute a Lease Amendment, as provided by LESSOR, within ten (10) days from receipt of same.

IN WITNESS WHEREOF, LESSOR and LESSEE have executed this Lease under seal on April 29, 2016.

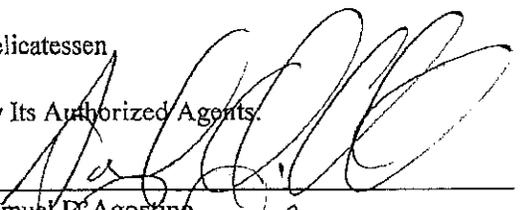

LESSOR, Ronald B. Surabian,


LESSEE, Frasa, Inc., D/B/A D'Agostino's

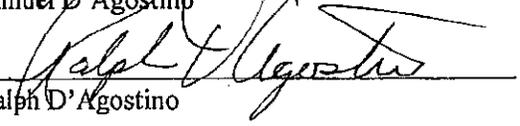
Trustee of Waterfield Realty Trust

Delicatessen,

By Its Authorized Agents.



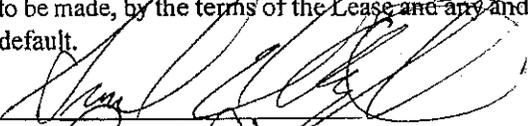
Samuel D'Agostino



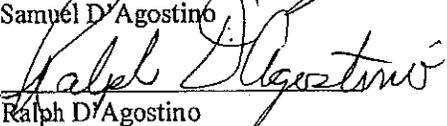
Ralph D'Agostino

PERSONAL GUARANTY

The following named individuals do hereby personally guarantee the performance of, and all payments to be made, by the terms of the Lease and any and all extensions and renewals, and hereby waives any notice of default.



Samuel D'Agostino

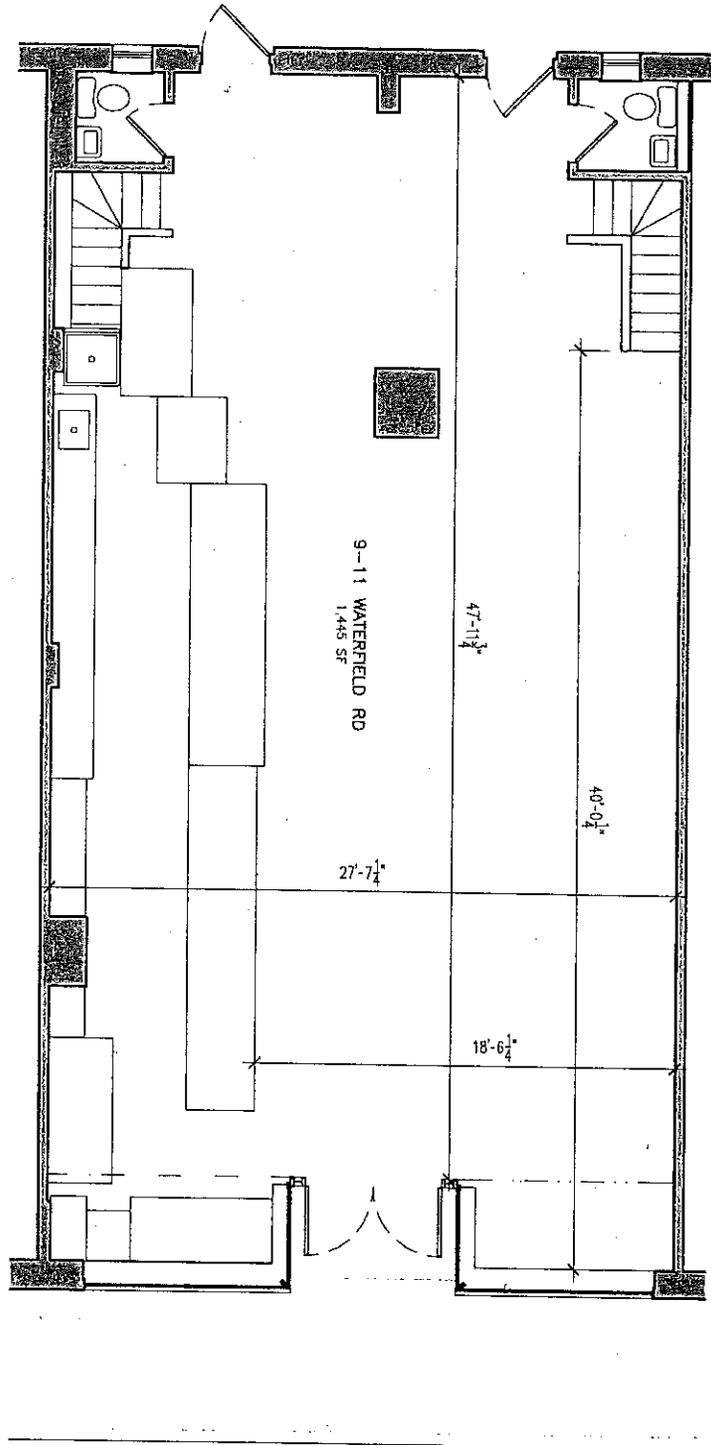


Ralph D'Agostino

\\server\documents\leg16\leg-rdr16\waterfield realty trust.frasa, inc.lease.doc

1
EX.2

Existing First Floor Plan - Combined Spaces
SCALE: 1/8" = 1'-0"



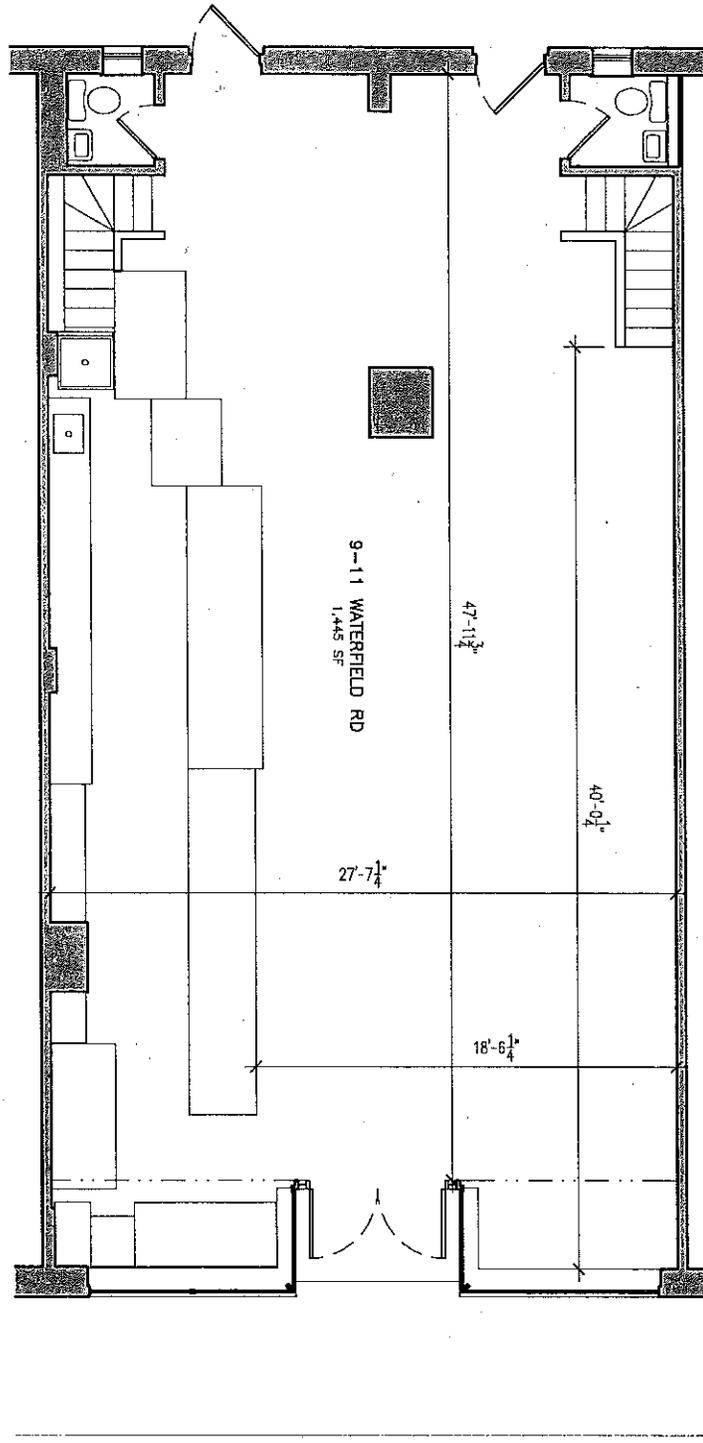
APPROACH ARCHITECTS
36 Bromfield St. Suite #404 Boston, MA 02108
TEL (617) 556-2627 FAX (617) 556-4884

DATE: 15 APR 16
SCALE: 1/8" = 1'-0"

D'Agostino's Deli
11 Waterfield Street Winchester, MA

1
EX.2

Existing First Floor Plan — Combined Spaces
SCALE: 1/8"=1'-0"



Loc: 21 CHURCH ST Parcel ID #: 9 116 0
LUC: 906

FIRST CONGREGATIONAL CHURCH

21 CHURCH STREET

WINCHESTER MA 01890

Loc: CHURCH ST Parcel ID #: 9 146 0
LUC: 903

WINCHESTER TOWN OF
WINCHESTER COMMON
71 MT VERNON STREET

WINCHESTER MA 01890

Loc: WATERFIELD RD Parcel ID #: 9 147 0
LUC: 903

WINCHESTER TOWN OF
WATERFIELD RD
71 MT VERNON ST

WINCHESTER MA 01890

Loc: WATERFIELD RD Parcel ID #: 9 150 0
LUC: 903

WINCHESTER TOWN OF

71 MT VERNON STREET

WINCHESTER MA 01890

Loc: 22 28 CHURCH ST Parcel ID #: 9 151 0
LUC: 325

WATERFIELD REALTY TRUST
RONALD B SURABIAN, TRUSTEE
36 CHURCH STREET

WINCHESTER MA 01890

Loc: 32 36 CHURCH ST Parcel ID #: 9 152 0
LUC: 325

WATERFIELD REALTY TRUST
RONALD SURABIAN, TRUSTEE
36 CHURCH STREET

WINCHESTER MA 01890

Loc: 35 CHURCH ST Parcel ID #: 9 157 0
LUC: 341

FLEETBOSTON

%BANK OF AMER/CORP RE ASSESS
NCI-001-03-81
101 N. TRYON ST
CHARLOTTE NC 28255

Loc: 39 CHURCH ST Parcel ID #: 9 158 0
LUC: 340

FORTIN REALTY LLC
COLBY REALTY
39 CHURCH STREET

WINCHESTER MA 01890

Loc: 31 U-1 CHURCH ST Parcel ID #: 9 290 0
LUC: 102

HOWLEY NANCY J

31 CHURCH ST - UNIT 1

WINCHESTER MA 01890

Loc: 29 U-2 CHURCH ST Parcel ID #: 9 291 0
LUC: 343

LAKWOOD REALTY NOMINEE TR
JOSEPH M. LAWLER, TRUSTEE
49 ARLINGTON ST.

WINCHESTER MA 01890

Loc: 29 U-3 CHURCH ST Parcel ID #: 9 292 0
LUC: 343

LAKWOOD REALTY NOMINEE TR
JOSEPH M. LAWLER, TRUSTEE
49 ARLINGTON ST.

WINCHESTER MA 01890

Loc: 29 U-4 CHURCH ST Parcel ID #: 9 293 0
LUC: 343

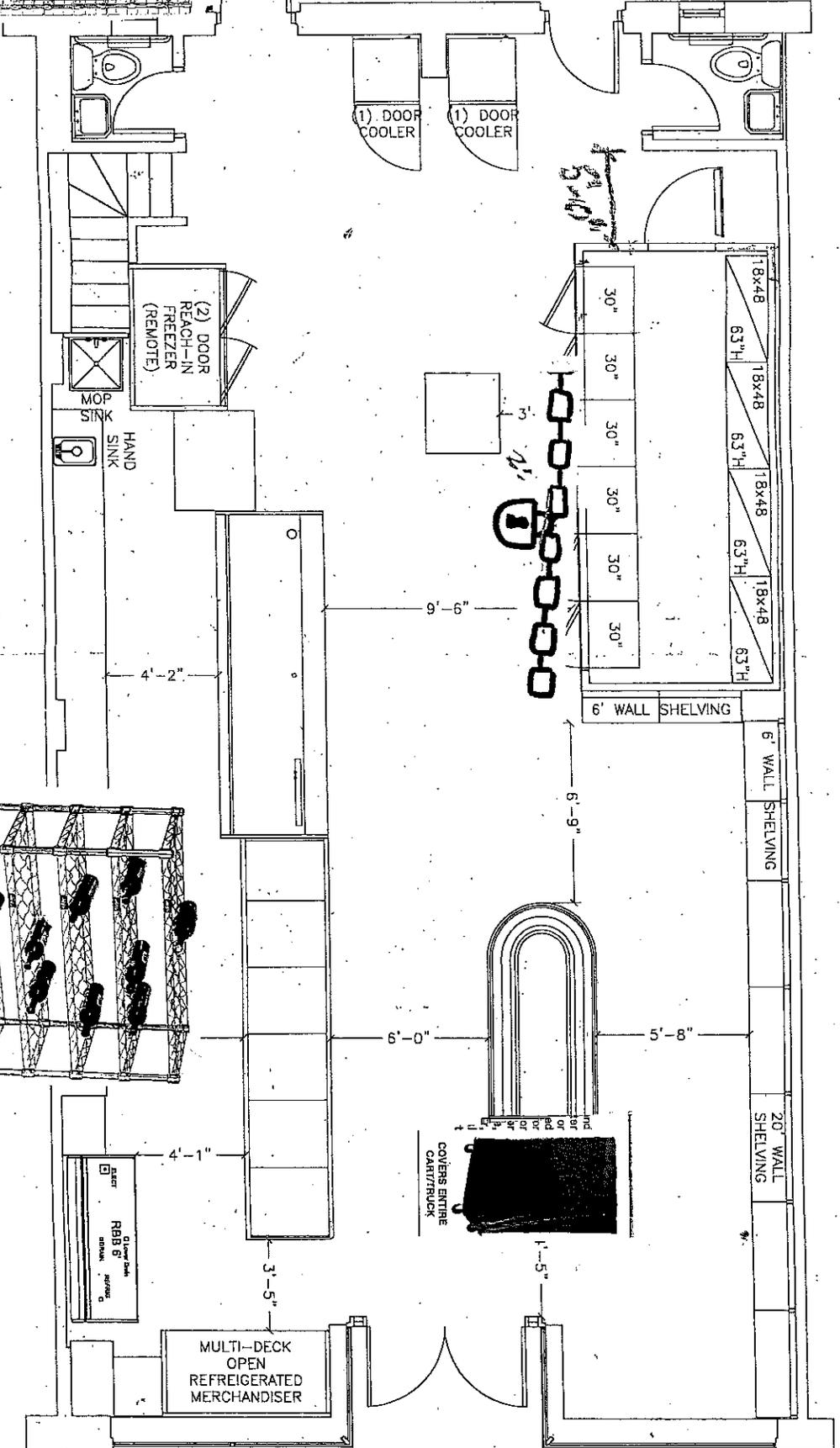
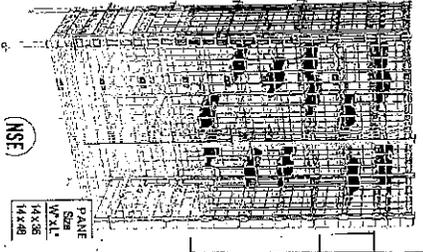
LAKWOOD REALTY NOMINEE TR
JOSEPH M. LAWLER, TRUSTEE
49 ARLINGTON ST.

WINCHESTER MA 01890

PROPOSED FLOOR PLAN
Demonstrating how beer and wine is being secured
During the hours when sales are prohibited

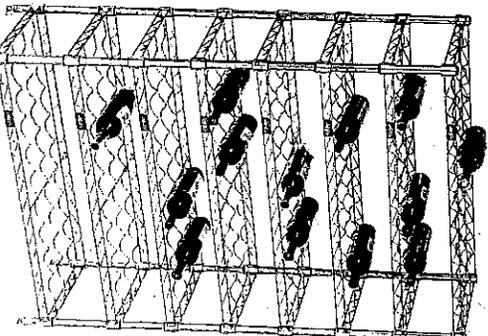
D'AGOSTINO DELI

The wine has a mesh locking cover which will be placed over all wine displays during the hours in which the store is opened but wine and beer sales are prohibited. In addition, the wine carts will be entirely covered as shown in the illustration and the coolers will be locked as shown in the illustration.



1
 1/4" = 1'-0"

PROPOSED FLOOR



AGOSTINO'S STORE
 WATERFIELD ROAD
 WINCHESTER, MASS 01890

Cafarella, Jennifer

From: Peter MacDonnell <pmacdonnell@winchesterpd.org>
Sent: Tuesday, August 23, 2016 12:12 PM
To: Cafarella, Jennifer
Subject: RE: Wine and Malt application - CONFIDENTIAL

Hi Jen,

The police have no objections

Peter MacDonnell
Chief of Police
Winchester Police Department
30 Mount Vernon Street
Winchester, MA 01890
Main: (781)729-1212
Office: (781)729-5429

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

From: Cafarella, Jennifer [mailto:jcafarella@winchester.us]
Sent: Tuesday, August 23, 2016 12:08 PM
To: Wile, John; Peter MacDonnell
Cc: Barbara Bosco
Subject: FW: Wine and Malt application - CONFIDENTIAL

Chief and Al,

Can I please have your comments? They are going before the Board on Monday night.

Thanks -
Jenn

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

From: Tracy, Sheila
Sent: Tuesday, August 09, 2016 4:10 PM
To: Cafarella, Jennifer
Subject: RE: Wine and Malt application - CONFIDENTIAL

Jenn,
There does not appear to be any outstanding bills for this address or business.
Sheila

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

From: Cafarella, Jennifer
Sent: Tuesday, August 09, 2016 11:43 AM
To: pmacdonnell@winchesterpd.org; Wile, John; Tracy, Sheila
Subject: Wine and Malt application - CONFIDENTIAL

Cafarella, Jennifer

From: Tracy, Sheila
Sent: Tuesday, August 09, 2016 4:10 PM
To: Cafarella, Jennifer
Subject: RE: Wine and Malt application - CONFIDENTIAL

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Sheila

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From: Cafarella, Jennifer
Sent: Tuesday, August 09, 2016 11:43 AM
To: pmacdonnell@winchesterpd.org; Wile, John; Tracy, Sheila
Subject: Wine and Malt application - CONFIDENTIAL

All,

Please review the attached application from D'Agostinos for a wine and malt license and send your comments to me as soon as possible. I am trying to put this on the August 29th BOS docket.

Thanks -
Jenn

Cafarella, Jennifer

From: Wile, John
Sent: Tuesday, August 23, 2016 2:57 PM
To: Cafarella, Jennifer; pmacdonnell@winchesterpd.org
Cc: Barbara Bosco
Subject: RE: Wine and Malt application - CONFIDENTIAL

I have no issues. Al

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

From: Cafarella, Jennifer
Sent: Tuesday, August 23, 2016 12:08 PM
To: Wile, John <jwile@winchester.us>; pmacdonnell@winchesterpd.org
Cc: Barbara Bosco <bbosco@winchesterpd.org>
Subject: FW: Wine and Malt application - CONFIDENTIAL

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Thanks -
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, August 29, 2016

BUSINESS

Docket Item **G - 2:** Review of DRAFT Letter to MassHousing re:
Forest Ridge 40B Development Proposal

Supporting Documents:

G - 2: DRAFT letter for review

NOTE: Attorney Bobrowski will be present.
Topographical map provided by Dorothy Feldman

Action Required:

The Board will need to take two votes on this item.

Motion #1. That the Board of Selectmen support the Forest Ridge 40B development proposal.

Motion #2. That the Board of Selectmen approve the letter (either as drafted or with the edits made at table) and authorize its submission to MassHousing.

BLATMAN, BOBROWSKI, MEAD & TALERMAN, LLC
ATTORNEYS AT LAW

9 DAMONMILL SQUARE, SUITE 4A4
CONCORD, MA 01742
PHONE 978.371.3930
FAX 978.371.3928

MARK BOBROWSKI
Mark@bbmatlaw.com

August __, 2016

Katharine Lacy
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

Re: Town of Winchester's Comments
Krebs Investor Group, LLC - Application for Project Eligibility ("Application")

Dear Katy:

Please be informed that I represent the Town of Winchester (Town) with regard to Chapter 40B matters. I am filing this Comment regarding the Application at the Town's request after consultation with the administration and staff.

Project Description

Krebs Investor Group, LLC ("Krebs") proposes to build two hundred ninety six (296) units in two apartment buildings on 581,280 square feet of land (13.34 acres) located off of Forest Circle in Winchester (the "Project"). The Project is proposed as a rental product, with at least 25% of the units rented at a price affordable to households earning 80% or less of area median income, adjusted for household size. Access to the Project will be via Fallon Road in neighboring Stoneham. Fallon Road is a private way. There will be gated access for emergency vehicles and pedestrian access to Forest Circle in Winchester.

The following comments have been submitted by staff in response to Town Manager Richard Howard's request for information. MassHousing is respectfully requested to consider the Town's comments when deciding to issue or deny a Project Eligibility Letter (PEL). In addition, the voluminous comments received from abutters and other interested parties are attached in a second appendix.

Town Comments

Krebs has no Standing to apply for the PEL

Krebs has not yet demonstrated standing to apply for the PEL. The Application contains a Purchase & Sale Agreement by and between the Trustees of The Shannon Investment Trust ("Shannon") and Joseph A. Marino, James F.X. Marino, and Anthony G. Marino (together "Marino"), dated August 28, 2013. The Purchase & Sale Agreement was amended on March 28, 2016, to extend the time for Marino's performance. The 2016 Amendment does not mention assignment of Marino's rights to Krebs, nor is there a free-standing document in the Application otherwise assigning Marino's rights to Krebs. Until such time as Krebs demonstrates an equitable interest in the Locus sufficient to "control" the site, there is no standing to make the Application.

Krebs has No Legal Right to Access Fallon Road in Stoneham

As set forth in the Application to MassHousing, access to the development site ("Locus") will be from Fallon Road, a private way in Stoneham. Shannon owns the 13.34 acre Locus today. See Exhibit 1 for the layout of the western portion of Fallon Road, excerpted from a 2015 ALTA plan. See Exhibit 2 for the proposed connection between the development site ("Locus") and the western end of Fallon Road.

The Locus is primarily comprised of two parcels in Winchester. Assessor's Parcel 1-273-0, consisting of 4.26 +/- acres on the Stoneham town line, was acquired by Shannon in 2002 (the "Eastern Parcel"). The 2002 Deed is recorded in the Middlesex Registry of Deeds ("Registry") at Book 37644, Page 043, and is attached hereto as Exhibit 3. The 2002 Deed references three separate parcels (1) a parcel of land in Winchester with 4.26 acres bounded by the Stoneham-Winchester town line; (2) a fifty (50') foot wide "Access Parcel" in Stoneham extending from the Stoneham - Winchester town line to Fallon Road; and (3) a small parcel of land in Winchester with "about 8000 square feet" again on the Stoneham - Winchester town line. As recited in Shannon's deed, the Eastern Parcel conveyed is described as shown on a "Plan of Land in Stoneham and Winchester, Mass." recorded in the Registry at Book 9601, Page 557, attached hereto as Exhibit 4.

The Access Parcel was created in a 1968 deed from the Trustee of the Fallon Land Trust to the Trustees of the Spot Pond Trust, recorded with the Middlesex South Registry of Deeds in Book 11552, Page 537, Exhibit 5 hereto. Pursuant to the 1968 Deed, the Spot Pond Trust acquired an approximately 15.5 acre parcel in Stoneham, which is now substantially the same land that comprises the property known as 225 Fallon Road. The grantor retained title to a small quarter-acre strip of land extending from the end of Fallon Road to the edge of the grantor's "remaining land in Winchester." This is the Access Parcel. It is today owned by Shannon in fee. It runs fifty feet in width from the Stoneham - Winchester town line for approximately 209 feet to the cul-de-sac at the end of Fallon Road. It connects the "remaining land in Winchester" - specifically described in the 1968 Deed as a 4.62 acre parcel shown on the recorded plan from 1960 - to Fallon Road. Additionally, the grantor reserved the right to use Fallon Road "for all purposes for which roads may from time to time be used" in Stoneham for service to said

“remaining land” across the quarter-acre Access Parcel. This constitutes the reservation of an easement. No reference is made to any additional land that the grantor may have owned in Winchester in 1968. Therefore, the dominant estate benefitted by the easement to use Fallon Road as set forth in the 1968 Deed is the 4.62 acre parcel described in the Deed and the Access Parcel in Stoneham.

Assessor Parcel 1-202-0 is a 9.15 acre parcel (Shannon’s “Western Parcel”) that was separately acquired by Shannon in 2002. The deed to the Western Parcel is recorded in the Registry at Book 37644, Page 038, and is Exhibit 6 hereto. The Western Parcel comes from a completely unrelated chain of title, having nothing to do with the Eastern Parcel. At the time the Access Parcel and the benefit of the easement to reach and use Fallon Road were created in the 1968 Deed, the benefit ran to the dominant estate – the “remaining land in Winchester” – and not to the Western Parcel, which was owned by other persons or entities.

It is black letter law in Massachusetts that an easement cannot be used to serve additional land or “after-acquired” property that is added to the dominant estate after the easement is created. *McLaughlin v. Board of Selectmen of Amherst*, 422 Mass. 359, 364 (1996); *Murphy v. Mart Realty of Brockton, Inc.*, 348 Mass. 675, 678-79 (1965) (“A right of way appurtenant to the land conveyed cannot be used by the owner of the dominant tenement to pass to or from other land adjacent to or beyond that to which the easement is appurtenant”). This rule is ancient. In *Davenport v. Lamson*, 21 Pick. 72 (Mass. 1838), the Supreme Judicial Court ruled that a landowner who had a right of way to access a three-acre lot could not use the right to way to access his contiguous nine-acre lot, despite the fact that in using the way he passed through the three-acre lot. Cited in *Murphy*, 348 Mass. at 679. As a general rule, unless the document creating the easement indicates that additional land may be benefitted by the easement, certain conditions need to be satisfied in order to lawfully expand the scope of the easement. As set forth by the Supreme Judicial Court in its 1996 decision *McLaughlin*, after-acquired property can only benefit from an easement if the easement is “in gross” or personal to the grantee (rather than linked to a specific parcel of land) or if the owner of the burdened property consents to the expanded use of the easement.

Therefore, Krebs (if Krebs has standing to apply) cannot use Fallon Road to serve any part of the Western Parcel. The Project plans show that the Western Parcel has both buildings and parking areas thereupon. The Access Parcel and the easement only benefit the “remaining land” in Winchester. The Deed does not contain any ambiguity on this point. The language in the Deed describing the use of the easement “for all purposes for which roads may from time to time be used” does not expand the scope of the right of way. *McLaughlin*, 422 Mass. at 365. Use of the easement by the Western Parcel would impermissibly increase the burden on 225 Fallon Road, owner of the servient estate. See *Boudreau v. Coleman*, 29 Mass. App. Ct. 621, 633-34 (1990). Nor is the easement an easement in gross; the benefit is specifically appurtenant to the “remaining land in Winchester.” Finally, neither Shannon, Marino, or Krebs has shown that the owner of 225 Fallon Road has consented to the use of the easement to benefit the additional 9.15 acre parcel. Therefore, any reliance on the Access Parcel and the easement to serve Western Parcel would constitute an “overburdening” of the right of way.

MassHousing should not dismiss this deficiency as just another private property dispute

between competing claimants. The Appeals Court has held that "ownership of access rights on which the proposed subdivision depends" *must* be reviewed by a local board, not swept under the rug. *Parker v. Black Brook Realty Corp.*, 61 Mass. App. Ct. 308 (2004). In the context of Chapter 40B, failure to demonstrate legal rights of access to Fallon Road for the entire 13.34 acre parcel is tantamount to a lack of site control. See 760 CMR 56.04(1)(c).

Stoneham's Zoning By-Law Bars Use of the Access Parcel to Cross the C-1 Zoning District

The Stoneham Zoning By-law and Zoning Map classify the fifty foot Access Parcel as C1 – Commercial District 1. The Access Parcel has not been included in the Senior Residential Overlay District. The C-1 regulations, attached hereto as Exhibit 7, prohibit all multifamily residential uses. This has been confirmed by Stoneham's Building Commissioner, Cheryl Noble, in an email dated July 26, 2016. Thus, the private roadway proposed in this Application, owned entirely by Shannon, connecting the Eastern Parcel via the Access Parcel to Fallon Road, takes a multifamily residential use into and across a Commercial 1 District.

In *Harrison v. Building Inspector of Braintree*, 350 Mass. 559 (1966), the Supreme Judicial Court reviewed access within split lots. The lot in question was primarily zoned for industrial purposes, but a small portion extended into an adjacent residential district. The owner constructed a factory on the industrially zoned portion of the lot. The only access to public ways from the factory was via the residentially zoned portion of the lot. When 400 employees and service vehicles began using the residential portion to enter the premises, neighbors complained that use of the residentially zoned portion to access the interior, industrially zoned portion was a violation of the more restrictive district's use limitations.

The court held that "[t]he use of land in a residential district, in which all aspects of industry are barred, for access roadways for an adjacent industrial plant violates the residential requirement." In essence, the court ruled that the access strip assumes the land use category of the use it serves. Since "all aspects of industry" were prohibited in the residential district, industrial access was tantamount to a barred industrial use.

Our courts has applied the *Harrison* rule in a variety of contexts. In *DuPont v. Town of Dracut*, 41 Mass. App. Ct. 293 (1996), the Appeals Court ruled that an access road to a multifamily housing project across a business district was not permissible. *DuPont* is attached as Exhibit 8. *DuPont* precisely controls the instant matter. Stoneham's zoning rules do not allow multifamily uses to traverse the Commercial District 1 where no aspect of multifamily use is permitted. The Applicant would need zoning relief from Stoneham. None has been requested. It is doubtful that any relief would be granted.

Title Issues and Layout on Forest Circle [Reserved - title exam ongoing]

[Title discussion]

The Town Engineer's comments, Exhibit 12, point out that Forest Circle, which will serve as access to a gated driveway to the Project, has difficult access issues. The width of the existing roadway is only 15 to 18 feet. The new State Fire Code regulations require a 20 foot fire lane. Widening Forest Circle will run head first into the title problems discussed in the first paragraph of this section.

The Town Engineer also questions the use of Forest Circle as a bus stop location for children living in the Project. Those children living on the eastern side of the Project will have a walk of approximately ___ to catch the bus. As pointed out below, the gated driveway will have steep grades, and will be non-ADA compliant. The bus will have difficulty maneuvering on Forest Circle due to the narrow pavement width and tight turning radius.

Appraisal

The purchase price in the 2013 Purchase & Sale Agreement is redacted. Under Chapter 40B rules, the purchase price cannot exceed the certified appraised value of the Locus without using Chapter 40B in the valuation. Standard principles of appraisal require that the highest and best use of the land "as of right" forms the basis for the valuation.

The Application contains a "By-Right Site Plan," showing thirty one (31) building lots. The By-Right Site Plan is pure fantasy. As the correspondence of the Planning Department to the Board of Selectmen, Exhibit 9, indicates, the development of a thirty one lot subdivision on the Locus would require at least eight (8) waivers of the Planning Board's Subdivision Rules and Regulations ("R&R").

These waivers are not likely to be granted. Krebs failed to mention, in its original Application, that the same Locus was the subject of an application for approval of a ten lot subdivision in 2007. The definitive plan was denied, primarily because the Planning Board found that the applicant did not meet the standards in the R&R for road construction - including grade and other AASHTO standards - and stormwater management. A copy of the definitive plan denial is attached as Exhibit 10. The 2007 applicant voluntarily dismissed the appeal, with prejudice and without costs. If the 2007 Planning Board would not grant waivers for a 10 unit proposal, it can be safely predicted that the 2016 Planning Board would not grant the eight waivers required to give a green light to a 31 lot proposal. Thus, the "By-Right Site Plan" - the basis for the certified appraisal - is fiction.

760 CMR 5.04((4)(e) states that MassHousing must consider land valuation before a PEL can be issued. This Application brings the issue into perspective. The Town has grave doubts

that the purchase price will be consistent with a certified appraisal. That appraisal should be completed *now* (and the results provided to the Town) before the PEL is issued, if at all.

Otherwise, the Town has no choice but to go to the barricades, at enormous cost of time and resources, to fight this Project. If the appraisal does not pan out, that will all be wasted effort.

Preliminary Traffic Impacts Assessment

The Town has taken the unusual step of engaging a traffic engineer *before* a PEL is issued, so crucial is this issue.

Gary Hebert, of Stantec Consulting services, Inc., is one of the Commonwealth's leading traffic engineers. He reviewed the 2007 definitive plan application for the same property for the Planning Board. His Preliminary Traffic Impacts Assessment, Exhibit 11, describes the many problems this Project would cause:

- * Steep access from Forest Circle for emergency vehicles;
- * Access so steep from Forest Circle as to be "uncomfortable" for bicycles, and non-ADA compliant for pedestrians;
- * Limited maneuverability for buses and emergency vehicles on Forest Circle;
- * Congested traffic in Stoneham complicated by other new projects coming on line.

Mr. Hebert concludes that "[i]f developed, Forest Ridge will add nearly 2,000 trips per day to an already congested and hazardous roadway system that will soon have another 2,000 trips per day added by Stoneham Crossing located just east of the proposed site."

Fire and Police

Both the Fire and Police Departments expressed dismay with the impact Forest Ridge would have on already stressed departments.

The Fire Chief, John Nash, provided statistics for his department's responses to Parkview Condominiums, a comparable facility with 315 dwelling units in Winchester.

Year	Total	Fire	EMS
2016 (YTD)	50	3	47
2015	37	5	32
2014	46	6	40
2013	56	9	47
2012	39	3	36
2011	84	5	79
2010	46	7	39

Chief Nash fears that another large apartment complex will affect his department's ability to conform with NFPA response times for fire emergencies. Chief Nash estimates that Forest Ridge will generate another 65 calls and require 60-70 annual inspections.

Similarly, Chief of Police MacDonnell reports that the Parkview Condominiums have taken a toll on his department's resources. He states that there were 132 incidents in 2015, and 104 in 2016 to date. Each incident represents an average of one half hour of an officer's time, with consequent loss of money and resources. The 2:00 AM to 7:00 AM shift has three (3) officers to cover the entire Town. He, too, fears that Forest Ridge will only make stretch limited resources to the breaking point.

Water and Sewer Infrastructure

The Town Engineer, in Exhibit 12, reports that domestic and fire flow is unlikely to be provided, as proposed, by the system in place on Forest Circle. Instead, the project will need to tie into the MWRA system on Forest Street. MWRA will have to approve this alternative.

As to sewer, the Town has yet to fully investigate inflow and infiltration (I&I) problems on the east side of Town. Weston & Sampson should be retained, if a PEL is issued, as the ZBA's peer reviewer.

I&I Fee

The Town's current I&I policy requires payment of \$2,400 per unit for a new sewer connection. This fee has been historically charged to subsidized and nonsubsidized units alike. If a PEL is issued, MassHousing should require the Applicant to pay this fee for all units.

Drainage, Groundwater, and Ledge Concerns

If a PEL is issued, the Project must be designed in accordance with the "Rules and Regulations Regarding the Use of Public Sewers and Storm Drains in the Town of Winchester, Massachusetts". In addition, the Project should strive to maintain the existing hydrology of the site to preserve the volume of runoff that ultimately reaches Winter Pond.

Given the extensive ledge outcroppings on the site, the Town Engineer is concerned that the stormwater management system can meet DEP standards. Peak rates of runoff from the site are likely to increase, in violation of the DEP standard. Forest Circle and Polk Road already suffer from surface water and groundwater drainage problems after significant events.

The ledge is likely to be the target of extensive blasting. The Engineering Department is concerned that such blasting will alter the pattern of existing groundwater flow, exacerbating the existing conditions on Forest Circle and Polk Road.

Impacts to Wetlands

The Town's Conservation Agent reports that some parts of the Project will be within the

100-foot buffer, requiring action by the Conservation Commission. However, there is a concern that storm water overflow may impact the North Reservoir, a drinking water source, which is downgradient from the Project. DEP imposes higher standards for discharges in Zone A feeding Outstanding Resource Waters. See 310 CMR 10.04 and 10.05; 314 CMR 4.04 and 9.04, attached as Exhibit 13.

The Applicant also needs permission to cross wetlands in Stoneham to construct the proposed access road to Fallon Road. MassHousing should determine whether such crossings comply with Stoneham's locally adopted rules and regulations *before* a PEL is issued. The Applicant has not sought relief from the locally adopted standards, and none is available without recourse to a comprehensive permit application in Stoneham. No such application has been filed.

Prior Use of the Locus as Dumping Grounds

In 2007, during its review of the proposed subdivision plan, the Board of Health advised the Planning Board to engage an LSP to evaluate the prior use of the Locus as a dumping grounds. Apparently, construction debris (at a minimum) was improperly disposed of on the Locus prior to 2000. No site cleanup has been supervised by authorities. See Exhibit 14.

Neighborhood Screening and Noise Control

To the extent possible, the proposed buildings should be screen visually from the surrounding neighborhood and rooftop HVAC units should be designed to limit noise impacts to abutters.

Project Design

In 2011, MassHousing joined with other subsidizing agencies to release the *Handbook: Approach to Chapter 40B Design Reviews*, prepared by The Cecil Group, Inc. The Town has a long and progressive history of promoting sustainable and smart development. Winchester is a Green Community and a strong proponent of alternative energy sources. Any PEL should mandate, at a minimum, compliance with the *Handbook*.

Programmatic Considerations

MassHousing is requested to include a condition in the PEL that will keep the housing affordable in perpetuity. In addition, the Applicant should be required to establish a local preference for the affordable rental units, to the extent permitted by state and federal law.

Housing Partnership Comments

The Winchester Housing Partnership, a strong advocate for affordable housing, submitted a letter, attached hereto as Exhibit 15. The Partnership expressed support for the use of the Locus for some affordable housing, but expressed ten concerns that mirror those set forth above about the size and scale of this proposal.

Comments from the General Public

In addition to those comments generated by the Town and its staff, the comments set forth in the Appendix were submitted to the Town by interested organizations or members of the general public. Comments and memoranda from the following persons and entities are hereby forwarded as a courtesy to the public and MassHousing.

Please do not hesitate to contact me with any questions that you may have. Thank you for your consideration.

Sincerely,

Mark Bobrowski
Special Town Counsel

cc: R. Howard, Town Manager
Atty. Welch, Town Counsel

DRAFT

Mawn, Patti

From: Dorothy Feldman <dorothyfeldman@verizon.net>
Sent: Monday, August 15, 2016 7:09 PM
To: Szekely, Brian; Vreeland, Elaine; Cathy Rooney; Mawn, Patti
Cc: NoForest Ridge; Brian Rabinovich; Mike Ryan; Neil Anderson; Rachel Roll; Juli Mullan; Julia McElhinney; Dorothy Feldman
Subject: Forest Ridge Property Illegal fill info
Attachments: Topographical map .png; 1993 test sites.jpg

I obtained the 1993 Assessment that details the investigation of the Shannon property (the current Forest Ridge 40B proposed site) and the illegal fill. Jennifer Murphy from the Winchester Health Department provided me with a complete copy of the related documents. If you would like to see them, let me know. She also has draft copies of the agreement between the Shannons and the town relating to the clean up, which specifies that upon sale or development the mitigation would occur (I did not see these because they are not signed). However, the signed agreement is not available, and Jennifer has requested that document from the Selectmen's office.

Here is what I learned:

Geological Field Services, Inc (GFS), President Luke Fabbri, P.G. prepared a "Limited Site Investigation" and submitted a report dated October 4, 1993. "The purpose of the investigation was to characterize the chemical and physical nature of the fill material which has been deposited on the property. The fill material has been used to construct an access road leading from Forest Circle to a semi-circular area, approximately 100 feet in diameter, located at the southern end of the property." {The Plan of the Land is attached to this email} "In general, the fill material consist primarily of blasted rock and soils. Significantly lesser amounts of asphalt, brick, concrete and wood debris exist in scattered locations throughout the fill material." According to a April 9, 1993 memorandum from MA DEP, Paul Giddings "Mr. Shannon informed me that he personally witnessed the loading of all truckloads of material which entered his property. Mr. Shannon indicated that he filled the land with the intention of developing the property at a later date. Most of the visible fill material is rock boulders with a small amount of metal articles." The assessment states, "based on the diameter of the trees in the roadway it is estimated that the property has not been accessed for approximately 15 years." The assessment is misinformed about the wetlands contributing to the Winchester public water supply, writing, "in terms of the relative risk posed by the subject site there were no public or private drinking water supplies identified on the Site or the abutting properties".

Samples were collected from the fill area by GFS. Samples B1, B2 and B3 were combined as "NE sample"; Samples B4 and B5 were combined as "SE sample". B4, B6 and B7 were individually tested and B8 and B9 did not yield sufficient soil for testing. The GFS investigation which sampled on August 10, 1993 reports "ground water was not observed in any of the shallow borings. At the time of the site visits no surface water was observed on the site." Also April 1993, MA DEP collected "surface water and sediment samples from a stream flowing through a pile of solid waste debris at the reference site." I do not know where this site was.

These are the values for metals that were measured above the MA DEP reportable concentrations:

NE sample	SE sample	MA DEP
Value	value	reportable conc.

Beryllium	3.73		0.4
Copper	3768.9		1000
Lead	673.3	1257.2	300
Zinc	5143.7		2500

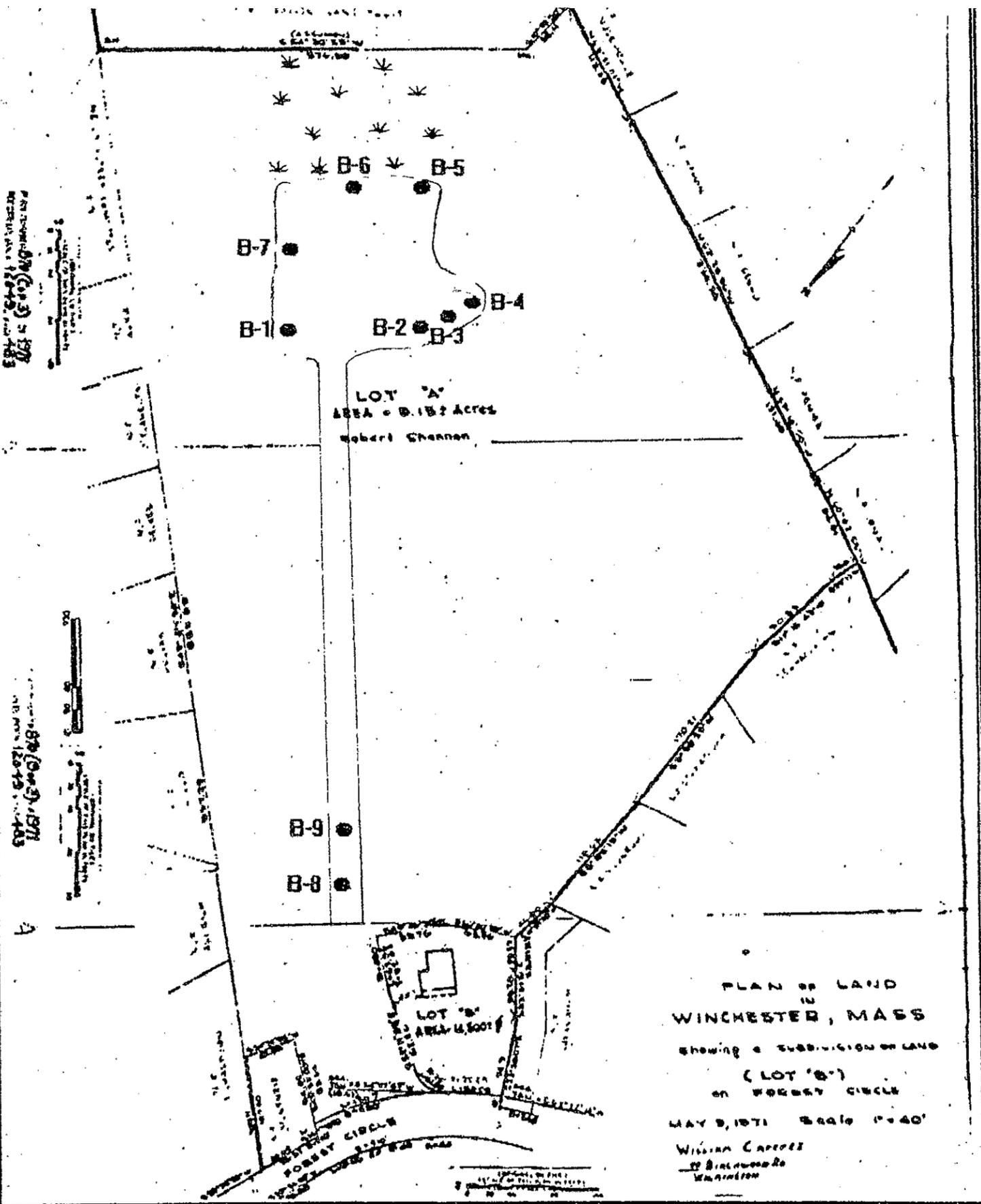
all values in parts per million

The conclusion of the assessment is "With the exception beryllium, copper, lead and zinc the priority metal concentrations are below the reportable concentrations, and are within normal background concentrations. The elevated levels of copper, zinc and lead are likely attributable to paint chips or dust contained in the fill material. The relative level of risk associated from the Site is low. Should the property be developed at a later date the issue of the elevated lead concentrations should be addressed at that time."

It should be noted that the test site B1-B7 are within the watershed of the wetlands. Please reference the attached Topographical map for comparison with the identified test sites.

If you have any further question, please contact me.

Dorothy Feldman



Plan of Land in Winchester, MA

As Noted Above
 Geological Field Services
 Lynnfield MA

FIGURE 2.2

SITE PLAN

Lot "A", Forest Circle
 Winchester MA





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, August 29, 2016

BUSINESS

Docket Item **G - 3:** Disability Access Commission – Reappointments:
Sahar Ahmed; Agnieszka Jankowski-Durham and
Barbara B. O'Connell – Terms to Expire August 31, 2019

Supporting Documents:

G - 3: Letters requesting reappointment

Action Required: VOTE to reappoint the three candidates for a term to
expire August 31, 2019.

Mawn, Patti

From: Cafarella, Jennifer
Sent: Monday, August 01, 2016 8:10 AM
To: Mawn, Patti
Subject: FW: Disability Access Commission

From: Sahar Ahmed [mailto:sabreena3@hotmail.com]
Sent: Friday, July 29, 2016 4:36 AM
To: Cafarella, Jennifer
Subject: RE: Disability Access Commission

Hi Jennifer,
Thank you for the email. Yes, I would like to be re-nominated. Let me know what I need to do.
Thanks,
Sahar

Sent via the Samsung Galaxy S@ 6, an AT&T 4G LTE smartphone

----- Original message -----
From: "Cafarella, Jennifer" <jcafarella@winchester.us>
Date: 7/28/2016 7:26 PM (GMT+01:00)
To: "sabreena3@hotmail.com" <sabreena3@hotmail.com>
Cc: "Kostos, Anne" <akostos@winchester.us>
Subject: Disability Access Commission

Good Afternoon,

Our records indicate your term on the Disability Access Commission is expiring soon. Please let me know if you wish to be re-appointed.

Thank you,
Jenn Cafarella
Town Manager's Office
781-721-7133



Town of Winchester

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

July 28, 2016

gn
Anghieszka Jankowska-Durham
27 Westley Street
Winchester, MA 01890

RECEIVED
2016 JUL 31 PM 1:56
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

Dear Ms. Jankowska-Durham:

Our records indicate that your term on the Disability Access Commission is expiring soon.

Please let the Town Manager know, in writing, whether or not you wish to be reappointed.

Sincerely,

Jennifer Cafarella
Administrative Assistant
Town Manager's Office

*Jenn,
Please reappoint me.
Aggie*

Mrs. Edward Francis O'Connell

25 Arlington Street

Winchester, Massachusetts 01890

RECEIVED

2016 AUG 15 PM 3:49

TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

15 August 2016

Mr. Richard Howard
Town Manager
Town of Winchester

Dear Mr. Howard:

My term on the
Disability Access Commission
expires soon and I would
be honored to be appointed
for another year.

It is a wonderfully new
arm of government where
issues affecting some of our
citizens' quality of life are
resolved in a timely manner.

Thank you.

Faithfully,

Barbara B. O'Connell
(Mrs. Edward F. O'Connell)

Term Expiration	First	Last	Address	
8/31/2018	Susan	McGonagle	38 Grove Street	Winchester, MA 01890
8/31/2016	Sahar	Ahmed	14 Trinity Road	Winchester, MA 01890
8/31/2017	Eileen	Rustin	29 Westley Street #B	Winchester, MA 01890
8/31/2018	Robert	McGillicuddy	171 Swanton Street, #67	Winchester, MA 01890
8/31/2018	Christopher	Durham	27 Westley Street	Winchester, MA 01890
8/31/2016	Agnieszka	Jankowska-Durham	27 Westley Street	Winchester, MA 01890
8/31/2017	Michael A.	O'Brien	50 Clark Street	Winchester, MA 01890
8/31/2016	Barbara	O'Connell	25 Arlington Road	Winchester, MA 01890
8/31/2018	Jean	Pagliuca Smith	118 Forest Street	Winchester, MA 01890
	Anne	Kostos	71 Mt Vernon St	Winchester, MA 01890

8/31/17 alternate VACANT

8/31/18 alternate VACANT

Disability Access Committee

Updated 12/1/2015

No more than 9 and no less than 5 members
created: February 23, 1998



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, August 29, 2016

BUSINESS

Docket Item **G - 4:** Council on Aging – Senior Citizen Community Service
Reimbursement Program

Supporting Documents:

G - 4: Memo from Town Manager
Memo from Council on Aging Director Philip Beltz

Action Required: VOTE to approve the maximum adjusted gross income for
program participants: \$58,000 (single person); \$73,000 (couple)
with assessed property value not to exceed \$850,000



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

August 23, 2016

TO: Board of Selectmen

FROM: Richard C. Howard, Town Manager 

SUBJECT: Senior Community Service Reimbursement Program

Attached regarding the above is a summary from Philip Beltz, Council on Aging Director, pertaining to income and asset guidelines for interested seniors. We believe these recommendations match up with financial trending and would recommend that the Board endorse the same for the program.

The program is capped to accept forty-five (45) participants, first come – first served. Usual participation is somewhere around forty (40) individuals.

RCH:pcm

attachments

TOWN OF WINCHESTER
MIDDLESEX COUNTY, MASSACHUSETTS



Winchester Council on Aging
(781)721-7136
Fax# (781)721-0926

109 Skillings Road
Winchester, MA 01890-2884

August 08, 2016

To: Richard Howard, Town Manager
Fr: Phillip Beltz, Director, Council on Aging
Re: Senior Citizen Community Service Reimbursement Program

The Council on Aging administers the Senior Citizen Community Service Reimbursement Program that allows seniors over 60 years of age to work 125 hours a year within Town dedicated sites to earn a property tax reduction of \$1000 providing that they meet program guidelines.

Annually, the COA requests that its financial counselor review the income guidelines and property valuation and make recommendations for program guidelines for the upcoming year. The program is to commence in September 2016 through June 30, 2017.

Below are recommendations to qualify for participation in the program that were shared with Treasurer Sheila Tracy and Comptroller Stacie Ward:

- Maximum adjusted gross income as reported to the Internal Revenue Service \$58,00 for a single person and \$73,000 per couple
- Assessed property value not to exceed \$850,000

Please contact me if you have any questions. Thank you.

Howard, Richard

From: Beltz, Phillip
Sent: Monday, August 08, 2016 2:41 PM
To: Howard, Richard
Cc: Tracy, Sheila; Ward, Stacie
Subject: SR. CITIZEN COMMUNITY SERVICE REIMBURSEMENT PROGRAM
Attachments: Memo Town Mgr re 2017 guidelines.doc

Please see attached recommendations borne out of recommendations from COA Financial Counselor and follow-up to our discussion today. Thank you.

Howard, Richard

From: Beltz, Phillip
Sent: Tuesday, August 16, 2016 3:18 PM
To: Dept Heads
Subject: COUNCIL ON AGING VOLUNTEER/WORK PROGRAM
Attachments: Volunteer Skills.jpg

Importance: High

If you are not aware, the Council on Aging administers the Senior Citizen Community Service Reimbursement program that provides an opportunity for seniors to work at Town sites for 125 hours a year enabling them to receive a property tax reduction of \$1000 . This program is an great opportunity for seniors to continue making valuable contributions to the community. In addition, it is an excellent opportunity for the Town to enhance its workforce with additional staff. This year I am trying to expand the program which means that I will need additional employment slots. Attached you will find a resume of a gentleman I recently met who is new to the program in need of a worksite—you will note his experience in engineering, finance, data management, accounting, etc. If you do not currently participate I hope that you will re-consider this program that brings forth a wealth of experience.

Thank you for your consideration. Please contact me if you have any questions, I will be happy to meet with you to further discuss the parameters.

Phillip Beltz
Director, Winchester Council on Aging
109 Skillings Road
Winchester, MA 02128
#781-721-7136

Mawn, Patti

From: Howard, Richard
Sent: Tuesday, August 16, 2016 4:06 PM
To: Grenzeback, Lance
Cc: Mawn, Patti
Subject: FW: COUNCIL ON AGING VOLUNTEER/WORK PROGRAM
Attachments: Volunteer Skills.jpg

Importance: High

Lance – This is the other potential agenda item that I was trying to think of this morning. Philip has a recommendation to slightly modify the qualification criteria for the program. He would like to have the Board hear and approve the same, on the 29th if there is room. We could kick it to the 12th if necessary. Let me know.

From: Beltz, Phillip
Sent: Tuesday, August 16, 2016 3:18 PM
To: Dept Heads <DeptHeadList@winchester.us>
Subject: COUNCIL ON AGING VOLUNTEER/WORK PROGRAM
Importance: High

If you are not aware, the Council on Aging administers the Senior Citizen Community Service Reimbursement program that provides an opportunity for seniors to work at Town sites for 125 hours a year enabling them to receive a property tax reduction of \$1000 . This program is an great opportunity for seniors to continue making valuable contributions to the community. In addition, it is an excellent opportunity for the Town to enhance its workforce with additional staff. This year I am trying to expand the program which means that I will need additional employment slots. Attached you will find a resume of a gentleman I recently met who is new to the program in need of a worksite—you will note his experience in engineering, finance, data management, accounting, etc. If you do not currently participate I hope that you will re-consider this program that brings forth a wealth of experience.

Thank you for your consideration. Please contact me if you have any questions, I will be happy to meet with you to further discuss the parameters.

Phillip Beltz
Director, Winchester Council on Aging
109 Skillings Road
Winchester, MA 02128
[#781-721-7136](tel:781-721-7136)

8/29

Mawn, Patti

From: Howard, Richard
Sent: Wednesday, August 17, 2016 8:24 AM
To: Beltz, Phillip
Cc: Tracy, Sheila; Ward, Stacie; Mawn, Patti; Twogood, Mark; Grenzeback, Lance
Subject: RE: SR. CITIZEN COMMUNITY SERVICE REIMBURSEMENT PROGRAM

Phillip – This is to confirm that you are on the Selectman’s agenda for Monday August 29th for this topic. I would estimate that the matter would come up around 8:30PM or so, but Patti may be able to give you a more exact time as we get closer to the date. The whole topic should take about 15 minutes to handle. Thanks.

From: Beltz, Phillip
Sent: Monday, August 08, 2016 2:41 PM
To: Howard, Richard <rhoward@winchester.us>
Cc: Tracy, Sheila <stracy@winchester.us>; Ward, Stacie <sward@winchester.us>
Subject: SR. CITIZEN COMMUNITY SERVICE REIMBURSEMENT PROGRAM

Please see attached recommendations borne out of recommendations from COA Financial Counselor and follow-up to our discussion today. Thank you.



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, August 29, 2016

BUSINESS

Docket Item G - 5: Retiree Health Insurance – Extension of Premium Rate
for Post 2004 Retirees

Supporting Documents:

G - 5: Memo from Assistant Town Manager
Suggested motion.
Meeting Minutes from July 27, 2015 and April 22, 2014

Action Required: VOTE to extend premium rate contribution to
June 30, 2019.



Town of Winchester

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

August 26, 2016

To: Board of Selectmen

From: Stephen Powers, Selectman

Re: Health Insurance - Retiree Premium Rates

As you recall the Board on July 27, 2015 voted to amend the mitigation health insurance plan adopted by the Board of Selectmen to provide for a retiree premium rate of 41.5% for eligible post 2004 retirees (including all eligible retiree who have retired on or before June 30, 2014) until June 30, 2017. A copy of this vote is attached to this memo.

I am requesting that the Board this evening vote to extend this action until June 2019. I have attached a draft motion for your consideration. Town Counsel has reviewed the motion and feels it is consistent with the original vote establishing the mitigation plan and the vote last year to maintain the 41.5% to this category of retirees until June 2017. Town Counsel has requested that the proposed motion be reviewed by our special health insurance counsel.

I respectfully request that the Board support this extension to maintain the 41.5% to retirees that fall in this specific category for this defined period of time.

MOTION: That the mitigation health insurance plan adopted by the Board of Selectmen on April 22, 2014, be amended to provide for a retiree premium rate of 41.5% for eligible post-2004 retirees (including all eligible retirees who have retired on or before June 30, 2014) until June 30, 2019.

DRAFT

*Motion: That the Board of Selectmen approve and sign the deed for the sale of Wright-Locke Farm to the Wright Locke Land Trust.
Grenzeback – Whitehead All in favor. VOTED.

Update on Package Store License: Town Counsel

Town Counsel referenced the neighbors and others who have protested the hearing notice. He noted that the legal notice sent out for the license hearing referenced June 29, 2014, which was a Sunday. The legal notice was also sent to the abutters per statute; this notice had a cover letter that announced the hearing for Monday, June 29, 2015, but attached the legal notice with the 2014 date. Town Counsel informed the Board that he was asked about this, did some research and it is his legal opinion that the fact that the legal notice had a 2014 date is de minimus. He explained that his opinion is based upon the fact that it is not logical to assume that the Board would be advertising an agenda or holding a public hearing on Monday, June 29, 2014 in calendar year 2015. Town Counsel informed the Board that he has passed this on to the Alcoholic Beverage Control Commission and they have received a parallel complaint by a citizen, which is being investigated. He noted that the Town's rules apply to protests by abutters, not citizens in general.

Town Counsel indicated that it was his recommendation to the ABCC investigator who contacted the Town Manager's Office to obtain all notices, postings, meeting minutes, etc. from the Town in order to make its own determination. Town Counsel explained that the statute under which the Town operates is Chapter 138 §15a, which has been adopted by the Board of Selectmen as it is specific in its requirements, and is now a part of the Board's Rules and Regulations for the issuance of Package Store Licenses.

Town Counsel further explained that in this case, the proponent's attorney obtains a list of abutters from the Assessor's office in order to send a cover letter to all who have been certified as abutters by the Assessors and who are entitled to notice; certified return receipts are returned to the attorney and an affidavit is submitted to the Town indicating same. If the ABCC determines that this notification was done improperly, they will so advise the Town. Town Counsel informed the Board that there is no reason for the Board to reopen the hearing, especially since this is being investigated by the ABCC, the ultimate license authority.

Retiree Health Insurance Rates

Selectman Powers recalled that post-2004 retired employees were at an 80% - 20% health insurance premium payment split; pre-2004 retirees are at a 70% - 30% health insurance premium payment split. There is a \$55,000 mitigation fund but only \$3,000 of that amount has been paid out. He suggested that the small payout is due to the fact that retirees don't want to get into a long process to obtain reimbursement. He explained that his hope is that the Board will consider paying this directly to the rate as the mitigation plan. The annual cost for the 185 post-2004 retirees is \$1.211million; the previous retiree percentage share is at 33.5% or \$405,000. The budgeted share at 50% would be \$605,000.

Selectman Powers' suggestion would be to take the difference between the \$605,000 and \$502,000, which is \$103,000, and with the \$55,000 in the current mitigation account, results in an additional \$48,000 needed per year. He indicated that his hope is that this act as a freeze, particularly in light of the fact that the rest of the State has a frozen contribution rate. He pointed out that the retirees were happy with the 70% - 30% split. Selectman Powers explained that his attempt is to freeze the post-2004 retirees at a 41.5% premium contribution for two years. He informed his colleagues that he has reviewed this with both the Town Manager and the Assistant Town Manager, as well as with the Comptroller.

Town Manager indicated that all of the numbers that have been reviewed are accurate, and the important number is the annual budgetary impact, which is approximately \$103,000, not a deal breaker within the overall health care cost which is approximately \$12 - \$13million. He recalled that the previous

Board worked diligently to develop a mitigation plan and final rate plan; this plan extends that. In this and next fiscal year, the cost is something that can be absorbed within the overall budget. Town Manager explained that based upon advice provided by Town Counsel and himself, his recommendation is against too much tinkering with what has already been done. He pointed out that Chapter 32B is a very difficult set of statutes to navigate, and staff wants to be sure that what has been accomplished can be upheld. He explained that what has been proposed by Selectman Powers does not run afoul of the mitigation effort, but rather extends it for the next two fiscal years. Relying upon Town Counsel's advice, Town Manager indicated that he does not believe that the Board would be hazarding what has been put in place at this time last year, as the primary concern is that the Town has a plan that can withstand a challenge. He pointed out that this does not have a huge, long-term impact on the unfunded liability because it does go away. Town Manager informed the Board that the actuary will provide information on what the long-term liability is for OPEB, taking this into account, noting that it is intended to have an end date within this and next fiscal year.

Town Counsel complimented Selectman Powers regarding this mitigation plan. He noted that the Town of Winchester is the only town in the State that has successfully enacted Home Rule legislation at the Selectmen's table in order to continue to control rising health care costs. He explained that Selectman Powers' proposal is temporary in nature, of limited applicability, and is specifically authorized by Chapter 32, which contemplated flexibility in the use of mitigation plans and, in the original legislation, allowed reduction in costs to be shared with union members. Town Counsel suggested that Selectman Powers' proposal would pass legal muster. Town Counsel also cautioned the Board against discussing legal opinions at table because they are the subject of litigation.

Vice Chairman Grenzeback recalled that he had previously recused himself from discussion and voting on this subject, however his wife retired from the Winchester Public Schools prior to 2004 and he has been informed by the Ethics Commission that his recusal is not necessary. He informed his colleagues that he will participate in the vote this evening.

Selectman Whitehead informed his colleagues that he would like to incentivize retirees to the new plan being introduced in January. Town Manager explained that this discussion involves HMO plans, not indemnity plans. Town Manager explained that this is a step that the Board can take once the product is committed from Harvard Pilgrim and the pricing is known because the price point will dictate how percentages are gaged to benefit the rate payers and the Town. He noted that it is his and Town Counsel's position regarding indemnity plans for Medicare extension plans, that the Board of Selectmen has discretion beyond the 50% limit that exists in Chapter 32B to be able to decide what the percentage will be. He noted that this is not the question being addressed here because these are HMO Plans, the premium percentage of which people are now paying 41.5% and can increase to 50%. Under Section 16, the premium percentage can be anything that the Board would like it to be.

Town Counsel pointed out that the indemnity plans are not being addressed in this proposal. He also cautioned against discussing legal opinions at the table because this is a matter of controversy between the Town of Winchester and the former Attorney General, and is being litigated in Superior Court. He explained that he does not want to discuss publicly what he has fought vigorously to protect on the Town's behalf.

Town Manager recalled that for many years, the Town was paying 90% of the premium costs for indemnity plans

*Motion: That the mitigation health insurance plan adopted by the Board of Selectmen on April 22, 2014, be amended to provide for a retiree premium rate of 41.5% for eligible post-2004 retirees (including all eligible retirees who have retired on or before June 30, 2014) until June 30, 2017, and thereafter in accordance with said April 22, 2014

vote.
Powers – Bettencourt

All in favor.

VOTED.

Lt. Colonel John Hanlon / Hemroulle, Belgium – Dr. Ellen Knight, Town Archivist

Town Manager recalled that the Board had previously been informed about John Hanlon and his service during World War II's Battle of the Bulge. He recalled that Lt. Colonel Hanlon asked the residents of Hemroulle for white bed sheets that could be used as camouflage in the snowy winter. Later, Winchester residents graciously provided sheets in return, which were brought to Belgium by the Colonel.

Town Archivist Ellen Knight noted that in 1944, some villagers in Belgium donated their sheets to camouflage American soldiers. Lt. Colonel Hanlon made a promise to the villagers to return the sheets, which he did after the War and with interest. The villagers were so grateful for being remembered, they sent the only thing of value that they had, ten paintings of the Stations of the Cross. In return, Winchester sent drawings of the churches that received the paintings. Hemroulle was and is a little village, but now it is a part of Bastogne, a place that remembers the American contribution during WWII.

Ms. Knight noted that this year is the anniversary of the Battle of the Bulge, and questions were raised about whether or not the paintings still exist, some of which came from Belgium. She explained that the good news is that eight paintings still do exist in Winchester. They have been photographed and after sixty-five years it will be possible for the residents of Hemroulle to see them again.

Ms. Knight informed the Board that it has been learned that the role that Winchester played has been under-reported. She explained that she and the Town Manager have discussed sending a new gift to Belgium, something that would be appropriate for an embassy or museum that would become a part of the historical record. Ms. Knight suggested the gift for the church at Hemroulle be a set of reproductions of the original paintings accompanied by a CD with digital files. Nancy Schrock has offered to do the book binding. She indicated that she is present this evening to suggest a gift to Bastogne and if the Board is agreeable to making a gift, to send along a letter of greeting as well.

Town Manager informed the Board that he and Ms. Knight had discussed a budget and suggested that the Board approve a budget of \$1500 from the Selectmen's Gift Account to supplement the Archives Budget in order to get this effort off the ground.

*Motion: That the board of Selectmen allocate \$2000 from the Board of Selectmen Gift Account for development and printing of a gift history of Colonel Hanlon and the 500 Sheets.

Grenzeback – Powers

All in favor.

VOTED.

Town Manager informed the Board that he would prepare a proclamation for inclusion with the gift.

Resident Parking Permit Renewal – WHS Neighborhoods

Town Manager informed the Board that there have been some complaints about the start time of the construction at the High School, which is currently a work in progress with the project management team. There have been no complaints about parking on the streets abutting the High School project. Selectman Whitehead indicated that the only complaint that he has heard is about the increase in traffic during morning student drop-off.

*Motion; That the Board of Selectmen authorize the "Resident Only" parking restriction for Cedar, Holland, Nelson, Oak, Spruce, Summer, Tremont, Westley and Winter Street be extended through August 31, 2017 and that residents be issued permits at no cost, with the restriction applicable Monday – Friday

Johnson – Grenzeback

All in Favor.

VOTED.

Retiree Health Insurance Mitigation Plan Discussion and Vote

Selectman Grenzeback recused himself from participation in this discussion and left the table. Chairman Wilson outlined the process to be followed this evening, noting that it has been a long and complicated one and her hope is that interested individuals have reviewed the detailed information on the website. The Chairman noted that there is no magical solution to this issue and the outcome may not satisfy all. She explained that the current benefits landscape is complicated and the monthly premiums range from \$36/month to \$239/month.

Chairman Wilson recalled that in 2009, the Town received an actuarial study that outlined the \$93million liability, with the Finance Committee beginning to address this issue with Town Meeting as far back as 2008. She noted that the Finance Committee has continued to advocate for a plan to address this issue and fully fund the liability. A study committee was formed that included representatives from the Board of Selectmen, the Finance Committee, the Audit Advisory Committee and at-large members. Recommendations were presented to Town Meeting and to the Board in 2011 and 2012, suggesting a combination of approaches both to increase funding and to decrease costs. First, the Town could increase its annual contributions to the fund to defray long-term liability which would require that the Town find at minimum, an additional \$1million per year in its budget or from additional tax dollars, beyond the pay-as-you-go amount. Town Management advised and the Board of Selectmen agreed that until the time the Town could find additional revenue as with a tax override, this approach was not feasible without spending down reserves or unreasonable service cuts, although will be a part of the future piece of the puzzle.

Chairman Wilson noted that the Town took several actions on the cost side; it changed plan providers and avoided a 10% increase in premiums for the benefit of retirees and the Town. In 2012, the Town, like 259 other communities in Massachusetts, took advantage of the newly enacted Municipal Health Insurance Reform Legislation. This allowed the Town to change its plan design, copayments and deductibles to be consistent with the most highly selected insurance plan offered by the State to its employees. The Town's unions participated in this process and they determined how to allocate \$195,000 in avoided expense for the benefit of plan participants, including retirees. During this time, Chairman Wilson explained that Town management met to discuss health care expenses with two groups of union representatives, each of which included a retiree representative. Finally, the Finance Committee and the GASB Study Committee, the cross disciplinary group put together to study the issue, recommended shifting the split in retiree health insurance contributions. The Board considered information provided by its actuaries, its insurance advisor and information about contribution rates from other communities. Chairman Wilson pointed out that notably, only two other communities were identified that had contribution rates as high as Winchester's at 90%.

Chairman Wilson explained that the Board also examined the impact on the various retiree groups. In November, 2012, the Board voted that as of July 2014, premium splits would be changed to the consistent split of 50%-50%, a rate that was already in place for some retirees. She noted that the Board recognized that this might create a financial hardship for some retirees and made its vote subject to the condition that a mitigation plan be adopted to "mitigate, moderate or cap" the impact of the changes for low income and/or high impact retirees. The fund was seeded with approximately \$55,000, although the Board anticipated that this amount would be increased substantially as the mitigation plan was designed. Retirees were notified immediately at the time of the vote, and Town Meeting was informed. In 2014 the Board anticipated that its mitigation plan would be primarily means based with a possible phase-in period. The Board expected to use an objective income-based standard for what was an appropriate level of income to spend for health insurance, looking to the Affordable Care Act for confirmation. Those who were being asked to spend more would be reimbursed by the Town. Chairman Wilson noted that the opposition to a means-based plan was

Tuesday, April 22, 2014
Board of Selectmen Meeting

widespread and passionate, some of the opposition coming from the retirees themselves, but also from other parts of the community and the concerns about privacy, access and pride are well documented in the comments made by many who attended meetings and through the local media.

Chairman Wilson recalled that with assistance from Senator Lewis, a working group was assembled that consisted of two members from the Board of Selectmen (Selectmen Wilson and Johnson), the Town Manager, the Comptroller and a number of retirees who also engaged the assistance and advice of now Moderator, Peter Haley. The retiree representatives were Jan Dolan, Ginny Laats, Joan Grenzeback and John Frongillo. She offered the Board's thanks to these individuals for their willingness to represent the retiree population through what is now known as the Winchester Retirees Health Insurance Committee. This group met to share ideas on how the mitigation plan might best meet the goal of alleviating financial hardship for those retirees most impacted by the contribution changes. Chairman Wilson indicated that this goal was shared by every person at the table. Through these conversations, and with assistance from Senator Lewis and Mr. Haley, the Winchester Retirees Health Insurance Committee identified the pre-2004 group of retirees as those most vulnerable to the rate change. Those retirees had previously enjoyed splits of 90% - 10% if on Medicare, or 85% - 15% or 71% - 29%. As the longest retired, these individuals in general were more likely to have lower pension income than more recent retirees.

The retiree representatives asked whether the Board could replace its means-based mitigation plan with a plan that would offer permanent relief to this identified group of retirees. Town Manager with the help of the Town's professional advisers performed the analysis and the proposal to change the pre-2004 retirees to a split of 70% - 30% instead of 50% - 50% would cost the Town in 2014 dollars approximately \$350,000 per year and the Town would sacrifice about \$3.5 million to \$5million of the long-term liability savings. The Chairman explained that the arrangement would also reduce the impact on the largest population of the current retirees, more than 300 in number and likely those with the lowest income.

Selectman Johnson and Chairman Wilson, the Board's representatives to the working group, along with the Town Manager determined that this was a fair and reasonable balance between the finances of the Town and the burden on the retirees, as well as achieving the goal of mitigating the highest impact. On March 24th the plan was recommended to the full Board. The recommended plan also included a two-year phase in period for all retirees and in addition, advocated for a means-based mitigation fund, smaller than what had originally been planned, but available to all based upon income. This was primarily to address unusual cases. Following the recommendation, the Board voted to release for public comment, this draft mitigation plan offering the features. The plan was published on the Town's website and was mailed to each of the Town's retirees. Written comments were received from sixteen individuals and organizations, including the Finance Committee, the MultiCultural Network, and the Winchester Retirees Health Insurance Committee. These comments were in addition to the extensive comments received by the Board as a whole and individually in the many months leading up to the release of the draft plan. Chairman Wilson noted that this issue has been the subject of extensive and varied comments and the Board is grateful for the robust input. She explained that the Board had originally intended to vote on the plan at their April 2nd meeting, but the Board was happy to amend that schedule at the request of the newest member, Selectman Powers. She explained that the Board is now in the position to vote on the draft plan and invited Ken Lombardi to the table to provide the financial information and the effect of the mitigation plan.

Ken Lombardi informed the Board that there currently are thirty-eight (38) pre-2004 non-Medicare retirees with individual coverage. This population breaks down into twenty-one retirees that appear will not be entitled to Medicare and seventeen (17) that will ultimately be entitled to Medicare. Currently, the membership pays 15% of the premium, approximately \$107 / month and would have been the cost on July 1, 2014 however based upon the proposal the share increases to 22½% resulting in a \$161.28 premium, increasing again to \$214.91 on July 1, 2015. The premium split would then

remain at a 70% - 30% split. Mr. Lombardi explained that all of this is based upon current costs and would be subject to change as renewal advice occurs. For the seventeen (17) members who will move to Enhanced, even though the contributory share shifts from 15% to 22½% and then to 30%, most of the population will move into the Enhanced level and all will see a significant reduction in premium contribution as they migrate into Enhanced and enroll in Medicare.

Pre-2004 members who have non-Medicare coverage and enrolled in the HMO, there is not a significant change in cost structure based upon going to the 70% - 30% premium split. There are currently four retirees in this group that have family coverage, and one of the members is not likely to move to Enhanced because they are Medicare ineligible at this time. Cost differences are not significant in this population. For the others that have family coverage in this bracket, there will be a significant cost reduction because they will be going from a family split down to the progression of the 20% premium increasing to 30% premium based upon the agreed upon mitigation proposal.

Mr. Lombardi explained that additionally, the Town Manager's recommendation to lower future retiree costs moves the Enhanced plan to a calendar year arrangement to take better advantage of Medicare rules and regulations and lower costs. The expectation is that the Enhanced rate will level out and possibly reduce on January 1st beginning in 2016. The renewal will be off-cycle and not on the typical fiscal year cycle. For the approximately thirty (30) other non-Medicare retirees that are post-2004, all will migrate to Medicare, but in the meantime their cost goes from \$236.40 / month at 33% to \$297.29 / month and then to \$358.19. With time, this population will migrate to the lower cost plans.

Mr. Lombardi informed the Board that there are nine (9) non-Medicare retirees who purchase a family plan, and at this time the split is currently 66 1/3% and 33 1/3%. As this population migrates to Enhanced, they will also see a cost reduction. Mr. Lombardi explained that the Town Manager, through negotiations with the current insurance provider, Harvard Pilgrim Health Care, was able to secure a two (2) person rate. He noted that there are four of the post-2004 non-Medicare retirees having to pay a family rate. There are fifteen (15) pairs of family members that have non-Medicare coverage that are in the post-2004 category and then on July 1st will see a significant cost reduction as they will not be contributing to a full premium rate but rather contributing to a two-person rate beginning on July 1, 2014. The cost reduction will be from \$594.59 down to \$322.14.

Mr. Lombardi noted that there are a significant number of retirees, all with family coverage and about seventy-six (76) in number, in all likelihood that will be able to migrate to the Enhanced plan because they will be entitled to Medicare. He explained that the focus this evening is on the Town's Medicare supplement plans however the Town does have a Medicare HMO style arrangement that is available, as well as other senior plans. He indicated that it would be a lower-cost service area program, i.e., must reside in the State.

Town Manager noted that he has provided a brief memo that recommends a plan that is robust and takes into consideration the various constituencies. He indicated that he believes that the plan is reasonable and recommended the Board's endorsement.

*Motion: That the Board of Selectmen, in accordance with the Board of Selectmen's vote of November 5, 2012 pertaining to Health Care Premiums for retirees and in order to provide a plan to mitigate, moderate or cap the impact of premium rate changes for retirees of low income, and / or who may have high out-of-pocket healthcare costs and who would otherwise be disproportionately affected, that effective July 1, 2014 the following mitigation plan be adopted for implementation in accordance with Chapter 32B section 11C, 16, 18A and 19 in accordance with Attachment "A": Mitigation Plan:

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- 1.) All post-2004 retirees (both non-Medicare and Medicare) plans to be cost-phased to 50%-50% (in equal amounts) over a two year (fiscal) basis. This phase-in to apply to all retirees who retire before June 30, 2015.
- 2.) All pre-2004 retiree plans (both non-Medicare and Medicare) to be cost-phased to 70%-30% (in equal amounts) over 18 months with the first change occurring July 1, 2014 and the second change occurring January 1, 2016. The rate for these plans to be established at 70%-30% going forward instead of 50%-50%.
- 3.) All pre-2004 non-Medicare retirees to migrate to HPHC Enhance Medicare Plan 70%-30%.
- 4.) A means-based mitigation fund of approximately \$55,000 as a further safety net for retiree subscribers who would qualify for further mitigation in accordance with the Affordable Care Act income standards. This fund to be in effect for no less than three (3) years but possibly available on an ongoing basis depending upon the level of need shown as the plan is put in place.
- 5.) The phase-in results are subject to the usual annual rate increase proposed by Harvard Pilgrim for all subscribers.

Johnson – Fontana

Selectman Powers informed the Board that had he been a sitting Selectman at the time this vote was taken he would have grandfathered all pre-2004 retirees. He explained that it is very aggressive to increase rates to 50%, noting that when Town Manager Howard was Mayor of Malden, the health insurance split was increased to 80% - 20%, and questioned why Winchester felt it was entitled to increase the premium split to 50%. He recalled that he was a member of the Board of Selectmen when PERA was funded, and after thirty-two years, the Town of Winchester is approximately 92% funded; no effort was made to fund the retirement system in one year [Note: The pension is currently approximately 77% funded.]. He suggested that this is a plan that puts the funding of the liability on the backs of the senior citizens. Selectman Powers pointed out that there is a Town Meeting vote on the horizon and a State vote related to Chapter 32B, therefore suggested that the Board of Selectmen delay voting this evening.

Selectman Fontana commented that this group that consists of the Town Manager, Senior Management, and advisor Ken Lombardi is well-informed and thoughtful and aware of all of the factors related to this complex topic of OPEB. He pointed out that the top category of cost growth in public budgets over the last thirty years is health care services. He explained that this problem is far from over and can be distilled into two categories. He suggested that contributions made today dwarf future contributions. He noted that this liability is not a curve that declines nor is it a curve that stays flat in the future or one that increases at a proportionate rate over time, but rather a curve that is increasing at an exponential rate. Selectman Fontana pointed out that this liability could have severe and drastic consequences if it is not addressed. He noted that the population being served with the health care benefit is increasing, not stabilizing or shrinking; the liability is drastically underfunded.

Speaking to pension reform, Selectman Fontana explained that what eventually happened was a severe change in benefits and contributions; pension reform did not end well for anyone and there were losers across the landscape. He informed the audience that as a member of the Board of Selectmen he gave thought to designing a plan or implementing a policy to deal with this complicated issue that is a significant crisis that is not unrecognized, and at the same time being true and empathetic to retirees, future retirees, employees and taxpayers. He noted that he thought about both grandfathering and freezing benefits, but knew that the further this issue is pushed out the more significant risk that it poses. Selectman Fontana suggested that the way to deal with this is through shared compromise. He indicated that he does not like the statement that this issue has been put on

the backs of the retirees because the Board has taken several actions that have been articulated. Selectman Fontana noted that the Board is asking the retirees to be a part of the solution, but has also instituted health care design and plan benefit changes, and the Town now has a balanced budget since Town Manager Howard's arrival where previously the budget had been running in deficit; reserves are in place. He suggested that a shared solution is best rather than dealing with this issue in the future.

Selectman Powers offered the following amendment to the original motion:

*Motion: That the Board of Selectmen amend the pre-2004 retirement plans for both non-Medicare and Medicare participants, to be cost phased in at 75%-25% over two years, with the first change occurring July 1, 2014 and the second change to occur on July 1, 2016; the rates being established at 75% - 25% going forward.

Powers - Johnson

Chairman Wilson informed her colleagues that she feels that a 70%-30% rate split was a good rate to achieve for the pre-2004 retirees and happens to be consistent with the average rate split for communities in Massachusetts. She noted that it also provides some parity to the cost increases between the pre-2004 population and the post-2004 population, based upon dollar amount. Each phase of the implementation now has Medicare retirees whether pre-2004 or post-2004 experiencing between a \$35 - \$40 increase. She questioned the impact on the OPEB liability if the 75%-25% adjustment were to be made.

Selectman Powers noted that he does not have this impact number, however the OPEB liability is a thirty year liability that the Board is trying to settle in one year, something that he does not feel is proper. Selectman Fontana noted that the problem does not go away, is still significant, and will result potentially in budget cuts, reserve expenditures, override funding, etc.

Insurance consultant Ken Lombardi informed the Board that he cannot comment on the proposal to tweak the contributions put forward by Selectman Powers, but reminded the Board that the single biggest issue that the Town has is the significant number of retirees who are insured as a part of the Town's health plan. He noted that there are 500 individuals covered under the various retiree options and only about 700 active employees, almost a 50-50 split with the number continuing to grow. He indicated that he is not sure that the Town can delay or consider significant changes to their proposal. He suggested that the Board be mindful of the size of the population which continues to grow to the point where if left unattended will create an even bigger issue.

Chairman Wilson pointed out that another piece of relief that will be available to the pre-2004 population is the introduction of the plan that is an HMO-like plan and when implemented will be priced at a favorable contribution rate for both the retiree and the Town, creating an incentive to select the plan. This will allow retirees to mitigate their own cost increase. Chairman Wilson also noted that the Board has been hearing about the burden placed on retirees for a long time and she understands where it comes from. If the mitigation plan is approved this evening, Chairman Wilson noted that the Town will have reduced its long-term liability cost over thirty years from \$93million to \$64million. She explained that there is still a lot of work remaining and the Board of Selectmen, with assistance from the Finance Committee, Town Meeting and others in the community will need to continue to work to find a way to fund this liability. She suggested that much of this will rest with the taxpayers. She indicated that the taxpayers already support retiree healthcare benefits by funding the budget in millions of dollars annually for the cost of healthcare benefits. Chairman Wilson explained that in the future, the Board will need to look for ways to obtain more revenue or the taxpayers will bear the burden of foregone opportunities in the budget.

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Vice Chairman Johnson noted that the Board worked very hard to accommodate everyone with the biggest improvement made being the "spouse + 1" which will reduce what participants pay now. He pointed out that this is a complicated issue and urged people to take their time and read about it.

*On the Amendment to the motion:

In favor:	Powers	
Opposed:	Fontana, Johnson, Wilson	VOTED.

*On the main Motion:

In favor:	Fontana, Johnson, Wilson	
Opposed:	Powers	VOTED.

Chairman Wilson declared a recess at 8:35 PM; she reconvened the meeting at 8:40 PM at which time Selectman Grenzeback rejoined his colleagues at the table.

Hospital Gift Account Funds for Ambulance Purchase

Vice Chairman Johnson noted that the issue of Hospital Gift Account funds being used for the ambulance purchase was recently raised by the Capital Planning Committee. The Finance Committee has also made some minor adjustments to the capital plan, including the ambulance as an add-on. He noted that the MIS request has been reduced and the public safety building firing range eliminated. He informed his colleagues that there is approximately \$110,000 as a balance in the Hospital Gift Account and his suggestion is for the Board to consider using the bulk of this amount towards the ambulance purchase in place of Free Cash. There would be a remaining balance of \$9973 in the Hospital Gift Account.

In response to Selectman Powers' question as to whether there are any requests for Hospital Gift Funds relating to health or safety issues on the horizon, Town Manager indicated that there are no known requests coming forward. He reported that a PILOT payment will be received later this Spring. Chairman Wilson informed her colleagues that she has no objection to using some of the gift account funds for this purpose, but questioned how this request would fit with the other capital pieces.

Vice Chairman Johnson recalled that the Capital Planning Committee had requested two separate warrant articles with a request to use Free Cash as a funding source. Chairman Wilson indicated that she would like to have a recommendation from the Finance Committee. Selectman Powers suggested that the Finance Committee should be happy with this solution because Free Cash funds would not be used. He explained that the Hospital Gift Account was set up to be used for things of this nature, therefore a consistent usage. Vice Chairman Johnson pointed out that Chief Nash has indicated that the back-up ambulance currently in use will not be certified by the State in the next round of certifications.

*Motion: That the Board of Selectmen authorize the expenditure of \$100,000 from the Hospital Gift Account towards the purchase of the Fire Department Ambulance.

Johnson – Powers

Town Manager noted that the MIS reduction was prioritized, although it has been in the queue for a while. He informed the Board that he talked with the IT Director earlier today and he indicated that he will live with whatever funds he receives however the upgrade to the MIS system will be done piecemeal.



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, August 29, 2016

BUSINESS

Docket Item G -6: Winchester Employee / Retiree Health Plan Survey

Supporting Documents:

G -6: Copy of Survey document

Action Required:

Town of Winchester Health Plan Survey

DRAFT

Re-format for on-line (e.g., SurveyMonkey) and mail-out paper responses (if requested)...

Survey universe is --

Current Employees

	<i>Family</i>	<i>Individual</i>	<i>Total</i>
<i>Town</i>	<i>122</i>	<i>78</i>	<i>200</i>
<i>School</i>	<i>194</i>	<i>165</i>	<i>359</i>
<i>Total</i>	<i>316</i>	<i>243</i>	<i>559</i>

Retired Employees

	<i>Retirees</i>	<i>Spouses</i>	<i>Total</i>
<i>Town</i>	<i>204</i>	<i>45</i>	<i>249</i>
<i>School</i>	<i>222</i>	<i>81</i>	<i>303</i>
<i>Total</i>	<i>426</i>	<i>126</i>	<i>552</i>

Introduction *(to be added...)*

- Survey conducted by Town of Winchester....
- Town must renegotiate its health care plans annually and rebid them periodically...
- The purpose of this survey is to collect information from Town employees and retirees about the current health care plans....

Instructions *(to be added...)*

- Add SurveyMonkey instructions here as needed....
- If you prefer a paper survey form, you may request it from _____ ...
- The survey information is collected anonymously. DO NOT provide your name or contact information....

Draft Version for Current Employees

I am ...

- Current Employee

My age is ...

- Under 35
- Under 55
- Under 65
- 65 or Older

I am enrolled in...

- Harvard Pilgrim Health Care HMO Plan
- Harvard Pilgrim Health Care PPO Plan
- Tufts Health Plan Preferred HMO Prime Plan

My subscription is for...

- Individual
- Individual Plus One ("Dual")
- Family

Medical Services

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Opinion
I'm satisfied with my plan's network of primary care doctors .	<input type="checkbox"/>					
I'm satisfied with my plan's network of specialists .	<input type="checkbox"/>					
I'm satisfied with my plan's network of hospitals .	<input type="checkbox"/>					
I'm satisfied with my plan's prescription coverage .	<input type="checkbox"/>					

Customer Services

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Opinion
I'm satisfied with my plan's information services .	<input type="checkbox"/>					
I'm satisfied with my plan's billing and dispute resolution services .	<input type="checkbox"/>					
I'm satisfied with my plan's privacy protection .	<input type="checkbox"/>					

Coverage and Cost

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Opinion
Compared to plans used by family or friends, I'm satisfied with my plan's overall coverage .	<input type="checkbox"/>					
Compared to plans used by family or friends, I'm satisfied with my plan's co-pays and deductibles .	<input type="checkbox"/>					
Compared to plans used by family or friends, I'm satisfied with my plan's total cost .	<input type="checkbox"/>					

Future Plan Options

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Opinion
If offered, I would choose a lower-cost plan with a limited network of primary care doctors, specialists and hospitals.	<input type="checkbox"/>					

Comments and Suggestions

Please add comments and suggestions here. Do not identify yourself or provide contact information.

Draft Version for Retired Employees

I retired ...

- Before 2004
- 2004 to 2014
- After 2014

My age is ...

- Under 35
- Under 55
- Under 65
- 65 or Older

I am ...

- Medicare Retiree
- Non-Medicare Retiree

I am enrolled in...

- Harvard Pilgrim Health Care HMO Plan
- Harvard Pilgrim Health Care PPO Plan
- Harvard Pilgrim Health Care Medicare Enhanced Plan (for medical services) and Aetna Rx Plan (for prescriptions)
- Tufts Health Plan Preferred HMO Prime Plan

My subscription is for...

- Individual
- Individual Plus One ("Dual")
- Family

Medical Services

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	<i>No Opinion</i>
I'm satisfied with my plan's network of primary care doctors .	<input type="checkbox"/>					
I'm satisfied with my plan's network of specialists .	<input type="checkbox"/>					
I'm satisfied with my plan's network of hospitals .	<input type="checkbox"/>					
I'm satisfied with my plan's prescription coverage .	<input type="checkbox"/>					

Customer Services

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	<i>No Opinion</i>
I'm satisfied with my plan's information services .	<input type="checkbox"/>					
I'm satisfied with my plan's billing and dispute resolution services .	<input type="checkbox"/>					
I'm satisfied with my plan's privacy protection .	<input type="checkbox"/>					

Coverage and Cost

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	<i>No Opinion</i>
Compared to plans used by family or friends, I'm satisfied with my plan's overall coverage .	<input type="checkbox"/>					
Compared to plans used by family or friends, I'm satisfied with my plan's co-pays and deductibles .	<input type="checkbox"/>					
Compared to plans used by family or friends, I'm satisfied with my plan's total cost .	<input type="checkbox"/>					

Future Plan Options

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	<i>No Opinion</i>
If offered, I would choose a lower-cost plan with a limited network of primary care doctors, specialists and hospitals.	<input type="checkbox"/>					

Comments and Suggestions

Please type comments and suggestions here. Do not identify yourself or provide contact information.



Town of Winchester

Town Manager's Office
71 Mt. Vernon Street
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townmanager@winchester.us

Board of Selectmen Meeting
Monday, August 29, 2016

BUSINESS

Docket Item **G - 7:** Water Bill – 56 Amberwood

Supporting Documents:

G - 7: Mr. Stephanopoulos will be present to plead his case to the Board.

Action Required:



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

August 8, 2016

TO: LeeAnn McGahan, DPW Business Manager

FROM: Richard C. Howard, Town Manager
Mark J. Twogood, Assistant Town Manager

SUBJECT: Water bill – Stephanopoulos, 56 Amberwood Drive

Enclosed for review is a letter and accompanying water invoice for the property at 56 Amberwood Drive. Will you please confirm that this claim and request for assistance is not reimbursable under the Stephanopoulos' home owners insurance.

Thank you.

RCH:pcm

attachments

To: LeeAnn McGahan
Winchester DPW business manager
15 Lake Street
Winchester, MA 01890

From: George and Eleni Stephanopoulos
56 Amberwood Drive
Winchester, MA 01890

RECEIVED
2016 JUL 30 AM 10:08
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

Subject: supplement to the previous request for abatement of the water bill

August 7, 2016

Dear Ms. LeeAnn,

This is a supplement to the previous letter that we sent you regarding the request for abatement of the water bill for our home on 56 Amberwood Drive.

Two days ago, we received a second water bill (# 10505513) in the amount of \$6,268.23 which we believe reflects the total amount of water that was spilled from the frozen pipe;

Let me give you more details on the timeline of events:

1. We believe that the pipe froze, and subsequently burst, during the subzero temperatures frost of February 14, 2016.
2. The flood in the basement was discovered and the water was turned off, by our insurance agent, on March 10, 2016. The damaged pipe was repaired on March 11, 2016 (attached is the receipt for the repair)
3. We returned from South America, on March 28, 2016.
4. The first water bill (#10498562) covers only two weeks of the period that the water was running from the broken pipe in the basement.
5. The latest water bill covers the time period from 3/3/2016 to 6/2/2016, which includes the last 8 days of the flood, before the water was turned off on the 11th of March.

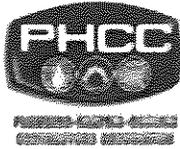
With that in mind, please bear in mind the amount of \$6,268.23 when you consider our case of abatement of the water bill.

Many thanks
Sincerely


George Stephanopoulos

Eleni Stephanopoulos





J.J. Loftus

Quality Plumbing & Heating Since 1932

6 R Glenwood Avenue

Winchester, MA. 01890

(781) 729-7846 Fax (781) 721-0476

Master Plumber Lic. #9550

Invoice

Date	Invoice #
3/14/2016	50134

Bill To
George Stephanopoulos 56 Amberwood Drive Winchester, MA. 01890

--

Serviced	Tech	Description	Amount
3/11/2016	Mike	Cut out burst pipe in wall and replaced with new copper pipe & fitting. Water pipe was frozen.	196.00

Balance due on receipt. A service charge of 2% per month will be added on any balance over 30 days. Thank you for your prompt payment!
 jjloftusplumbingandheating.com
 jloftus98@aol.com

Total	\$196.00
Payments/Credits	\$0.00
Balance Due	\$196.00

TOWN of WINCHESTER
P.O. BOX 4200 • WINCHESTER, MA 01890
Water/Sewer Bill

Residential Rates-Effective 7/1/16

UNITS	WATER	SEWER	TOTAL
0 - 15	\$1.32/ccf	\$1.35/ccf	\$ 2.67/ccf
16 - 45	\$3.29/ccf	\$4.29/ccf	\$ 7.58/ccf
Over 45	\$5.26/ccf	\$6.66/ccf	\$11.92/ccf

Commercial Rates-Effective 7/1/16

UNITS	WATER	SEWER	TOTAL
0 - 75	\$5.32/ccf	\$6.94/ccf	\$12.26/ccf
Over 75	\$6.52/ccf	\$9.42/ccf	\$15.94/ccf

* One unit = 748 gallons of water or 1 ccf (one hundred cubic feet)

Please visit our website at www.winchester.us

PAY YOUR TOWN OF WINCHESTER BILLS ONLINE!

Have your bill and checkbook in hand GO TO: www.winchester.us CLICK ON: Online Payments
Complete each screen to process your payment!

REFERENCE COPY

BILL DATE: 07/26/2016
BILL NUMBER: 10505513

ACCOUNT NO: 026288
PROPERTY LOC: 56 AMBERWOOD DRIVE

UTILITY	PREVIOUS DATE	PREVIOUS READING	CURRENT DATE	CURRENT READING
WATER	03/03/2016	3676 A	06/02/2016	3852 A
SEWER	03/03/2016	3676	06/02/2016	3852 A

DATE DUE
09/01/2016

Make Check Payable to:
Town of Winchester

PLEASE PAY THIS AMOUNT	CONSUMED	TOTAL DUE
	176	807.56
	176	1,021.41
		5.00
		4,284.71
		149.55
		6,268.23

SERVICE CHARGE	5.00
BALANCE FORWARD	4,284.71
INTEREST	149.55
TOTAL AMOUNT DUE	6,268.23

STEPHANOPOULOS GEORGE
56 AMBERWOOD DRIVE
WINCHESTER MA 01890-2233



ALL BILLS UNPAID 30 DAYS AFTER BILLING DATE ARE SUBJECT TO A PENALTY OF 14%.
COMPLAINTS AND CLAIMS REGARDING THIS BILL MUST BE MADE WITHIN TEN DAYS FROM DATE OF BILL. QUESTIONS CONCERNING THIS INVOICE SHOULD BE DIRECTED TO DEPARTMENT OF PUBLIC WORKS AT (781) 721-7100.

REMIT COPY

BILL DATE: 07/26/2016
BILL NUMBER: 10505513

TOWN of WINCHESTER
P.O. BOX 4200 • WINCHESTER, MA 01890
Water/Sewer Bill

ACCOUNT NO: 026288
PROPERTY LOC: 56 AMBERWOOD DRIVE

UTILITY	PREVIOUS DATE	PREVIOUS READING	CURRENT DATE	CURRENT READING
WATER	03/03/2016	3676 A	06/02/2016	3852 A
SEWER	03/03/2016	3676	06/02/2016	3852 A

DATE DUE
09/01/2016

Make Check Payable to:
Town of Winchester

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STEPHANOPOULOS GEORGE
56 AMBERWOOD DRIVE
WINCHESTER MA 01890-2233



09846042017210505513100006268239



- History
- Detail
- Orig Bill
- Effective Date
- Lien/Sale
- Scan Bill
- Quick Entry
- Utility Acct
- Customer
- Name
- Parcel
- Prop ID
- Bill Dates
- Bill Audits
- Bill Events
- Reprint
- Garnish
- Preferences
- Diagnostics

Year/Type/Bill No.

2017 UB-U 10505513

Customer Account Information

105934

STEPHANOPOULOS GEORGE
 56 AMBERWOOD DRIVE
 WINCHESTER, MA 01890
 781-729-8472

Property Information

Parcel ID 26.288.0
 UB Acct # 026 288
 Prop Loc 56 AMBERWOOD DRIVE
 WINCHESTER

Special Conditions/Notes

Installment Information

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
09/02/16	1,833.97		.00	.00	1,833.97
Fees/Pen	.00		.00	.00	.00
Totals	1,833.97		.00	.00	1,833.97

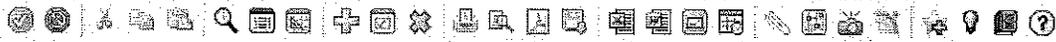
Notes/Alerts

ACTIVE, Lien? N

View prior unpaid bills

Due 08/08/2016	1,833.97
Per Diem	.00
Int Paid	.00
Total Paid	.00

*March-June
usage*



- History
- Detail
- Orig Bill
- Effective Date
- Lien/Sale
- Scan Bill
- Quick Entry
- Utility Acct
- Customer
- Name
- Parcel
- Prop ID
- Bill Dates
- Bill Audits
- Bill Events
- Reprint
- Garnish
- Preferences
- Diagnostics

Year/Type/Bill No.
 2016 UB-U 10498562

Property Information
 Parcel ID 26.288.0
 UB Acct # 026 288
 Prop Loc 56 AMBERWOOD DRIVE
 WINCHESTER

Customer Account Information
 105934

STEPANOPOULOS GEORGE
 56 AMBERWOOD DRIVE
 WINCHESTER, MA 01890
 781-729-8472

Special Conditions/Notes

Installment Information

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal	
06/03/16	4,284.71		.00	.00	110.11	4,394.82
Fees/Pen	.00		.00	.00	.00	.00
Totals	4,284.71		.00	.00	110.11	4,394.82

Notes/Alerts

ACTIVE, Lien? N

[View prior unpaid bills](#)

Due 08/08/2016	4,394.82
Per Diem	1.64
Int Paid	.00
Total Paid	.00

Dec - Feb Usage



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, August 29, 2016

CONSENT AGENDA

- Docket Item H - 1: Permission to close Mt. Vernon Street on Saturday, October 29, 2016 from 10 AM from Quill Rotary to Mt. Vernon Street for Halloween Parade
- H - 2: Parade Permit: Halloween Horribles Parade – Sat., October 29, 2016
- H - 3: Approve / Correct Meeting Minutes for Mon., 7/25/16
- H - 4: One Day Alcoholic Beverage Licenses:
Derek Crooks of Caterstaff of Boston, Inc., 10/15/16 – Wright Locke Farm; Kathryn School Bianco for Winchester Boat Club – 9/1/2016 – Boat Club; Lauren LaFortune – 9/10/16 – Temple Shir Tikvah; Archie McIntyre for Wright-Locke Farm – 9/10, 9/21 and 10/19, 2016 – 1827 Barn.
- H - 5: Staging Permit – 17 Thompson Street
- Supporting Documents:
- H - 1 / 2: Memo from Recreation Director Chris Nelson
- H - 3: Meeting Minutes for Monday, July 25, 2016
- H - 4: One Day Liquor License Applications
- H - 5: Staging Permit application
- Action Required: VOTE to approve Consent Agenda

Mawn, Patti

From: Nash, John
Sent: Monday, August 08, 2016 2:53 PM
To: Mawn, Patti
Subject: RE: Halloween Request Letter 2016 Parade

The Winchester Fire Department has no objection to the permitting of the closing of Mount Vernon Street for a parade, provided 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: Monday, August 08, 2016 2:51 PM
To: Peter MacDonnell (pmacdonnell@winchesterpd.org) <pmacdonnell@winchesterpd.org>; Nash, John <jnash@winchester.us>; Kostos, Anne <akostos@winchester.us>; Gill, James <jgill@winchester.us>; tgroux@winchesterpd.org
Subject: FW: Halloween Request Letter 2016 Parade
Importance: High

Attached please find the annual Recreation Department /FAN request to hold the Halloween Horribles Parade, this year, Saturday, October 29th. May I have your comments, please. This will be a part of the Board's August 29th agenda.

From: Nelson, Chris
Sent: Monday, August 08, 2016 12:19 PM
To: Mawn, Patti; Cafarella, Jennifer
Subject: Halloween Request Letter

Hi Ladies,

Not sure who to send this to. Attached is a letter requesting the Halloween Horribles Parade on Mount Vernon.

Thanks,
Chris

Mawn, Patti

From: Peter MacDonnell <pmacdonnell@winchesterpd.org>
Sent: Monday, August 08, 2016 2:55 PM
To: Mawn, Patti
Cc: Nash, John; Kostos, Anne; Gill, James; Thomas Groux; Barbara Bosco
Subject: Re: Halloween Request Letter 2016 Parade

Hi Patti,

The police have no objection to the Halloween Parade. We will provide details as we have in the past.

Peter

Sent from my iPhone

On Aug 8, 2016, at 2:50 PM, Mawn, Patti <pmawn@winchester.us> wrote:

Attached please find the annual Recreation Department /FAN request to hold the Halloween Horribles Parade, this year, Saturday, October 29th. May I have your comments, please. This will be a part of the Board's August 29th agenda.

From: Nelson, Chris
Sent: Monday, August 08, 2016 12:19 PM
To: Mawn, Patti; Cafarella, Jennifer
Subject: Halloween Request Letter

Hi Ladies,

Not sure who to send this to. Attached is a letter requesting the Halloween Horribles Parade on Mount Vernon.

Thanks,
Chris

<Halloween Letter 001.tif>



PARADE LICENSE
Family Action Network Halloween Horribles Parade

October 29, 2016

Permission is hereby granted to:

Parade through certain streets of Winchester:

The Parade will assemble on Saturday, October 29th at 10:00 a.m. behind Winchester Town Hall. The parade will continue down Mt. Vernon Street, passing Bookends before crossing Main Street going under the rotary and ending on Town Common.

During the parade Mt. Vernon Street will be closed to traffic from the rotary to the Washington Street intersection for the duration of the parade (approximately 30 minutes).

Approved by a vote of the Board of Selectmen
Monday, August 29, 2016

Richard C. Howard, Town Manager

Approved:

Peter F. MacDonnell, Chief of Police

Date: _____

Fee: none
Rec'd & filed in Office of
Town Clerk
BOS License-line

1
2
3 **TOWN OF WINCHESTER**
4 **BOARD OF SELECTMEN MEETING**
5 **Monday, July 25, 2016**
6 **Record**

7 Chairman Lance R. Grenzeback called the meeting to order at 7:00 PM in the Board of Selectmen
8 Meeting Room located in Town Hall. Present were Selectman Stephen L. Powers and Selectman
9 Michael Bettencourt. Vice Chairman E. James Whitehead participated remotely in accordance with 940
10 CMR 29:10 of MGL Chapter 39, §23D, geographic distance. Also present was Town Manager Richard C.
11 Howard. Selectman David P. Errico arrived during the public portion of the meeting.
12

13 **OPENING**

14
15 *Motion: That the Board of Selectmen adjourn to Executive Session for
16 the purpose of hearing a Litigation – Eversource Intervener
17 Status update in accordance with MGL Chapter 30A §21(a)3
18 because an open meeting discussion may have a detrimental
19 effect on the litigating position of the Board of Selectmen as
20 declared by the Chair – Siting Board Filing Update.

21 Powers – Bettencourt

22 By Roll Call Vote: Bettencourt, Powers, Whitehead, Grenzeback VOTED.
23

24 *Motion: That the Board of Selectmen adjourn from Executive Session
25 to Public Session, not to return to Executive Session.

26 Bettencourt – Powers

27 By Roll Call: Bettencourt, Powers, Whitehead, Grenzeback VOTED.
28

29 **Notification of Meetings and Hearings**

- 30
31] Wednesday, July 27, 2016 – Public Informational Session – Forest Ridge residences 40B
32 Development Proposal – McCall Middle School Auditorium – 7:00 PM
33] Monday, August 8, 2016 – Board of Selectmen – Regular Session
34] Monday, August 29, 2016 – Board of Selectmen – Regular Session
35] Monday, September 12, 2016 – Board of Selectmen – Regular Session
36

37 **Chairman's Comments**

38
39 Chairman Grenzeback noted that residents are complaining about the amount of traffic in Winchester
40 on a daily basis.
41

42 **Selectmen's Comments and Non-Docket Business**

43
44 Selectman Powers noted that with assistance from staff, he is trying to develop a questionnaire about
45 health insurance for both regular and retired employees. He indicated that he is still interested in
46 keeping the post-2004 retirees at the premium split level they are currently paying, however it is his
47 understanding that the freeze extends only through 2017 and if vetoed by Governor Baker it would give
48 the community the ability to institute the 50%-50% premium payment split
49

50 **TOWN MANAGER'S REPORT AND COMMENTS**

51

Monday, July 25, 2016
Board of Selectmen Meeting

1 Town Manager recalled that this past Saturday, there was a good storm that came through the region
2 with heavy down-pours. There were some downed trees, rain and hail as a result, however there did not
3 seem to be many serious incidences of damage.

4
5 Traffic Study Update: Main and Swanton Streets; Johnson Road & Ridge Street

6
7 Town Manager reported that the consultants will be meeting with the Board in August to provide an
8 update on the 25% design status and the costs to implement changes. Selectman Bettencourt recalled
9 that the last time he was present, the consultant mentioned that alternatives would be presented in
10 addition to signalization.

11
12 Forest Ridge Residences 40B Development Proposal Update

13
14 Town Manager noted that this is a sizeable development on land that sits on the border with Stoneham.
15 Special Counsel has connected with Stoneham's counsel to review the application. Town Manager
16 indicated that there has also been a site walk with representatives from MassHousing. He explained
17 that information is being assembled and as much information as possible is being put on the Town's
18 website, www.winchester.us.

19
20 Town Manager further noted that Winchester has received an extension of the comments submission
21 deadline and there is ample opportunity for the Board to consider the concerns expressed. He indicated
22 that this is a hard proposal to justify, however the Town will eventually hear from MassHousing as to
23 whether the site is appropriate. The hope is to convince MassHousing that the site is inappropriate.

24
25 Chairman Grenzeback urged residents to make use of the "notify me" opportunity on the Town's
26 website, where residents can sign up for notification of important issues. He noted that there is also a
27 well-organized private email list and the Woburn Times and Winchester Star are working on articles
28 related to this topic.

29
30 Selectman Bettencourt noted the importance of meeting with Stoneham leadership and the
31 Conservation Commission on this issue. He explained that one of the biggest deficiencies of this site is
32 the wetlands which is located in Stoneham. Town Manager informed the Board that Conservation
33 Administrator Elaine Vreeland is well aware of the Stoneham agenda.

34
35 Vice Chairman Whitehead thanked residents for submitting detailed input for the Board's
36 consideration. Town Manager cautioned residents to understand that there are legal standards that
37 have to be met, with common sense not necessarily being the prevailing application. He encouraged
38 people to keep comments coming. Chairman Grenzeback informed the audience that the Board will be
39 writing a comprehensive letter to MassHousing.

40
41 Appointments:

42
43 Town Manager announced that in accordance with Section 4-2b of the Town Charter he has made the
44 following permanent promotionall appointments in the Department of Public Works – Water/Sewer
45 Division:

46
47 **Anthony Donlon, 20 Prince Avenue, Winchester, MA**
48 **W-12 Special Equipment Operator – Step 1**
49 **DPW – Water/Sewer Division**

50
51 **Thomas Vail, 4 Bolton Street, Reading, MA 01867**
52 **W-12 Special Equipment Operator – Step 5**
53 **DPW – Water/Sewer Division**

**Monday, July 25, 2016
Board of Selectmen Meeting**

1
2 Town Manager noted that the Public Works Director has requested that the Board waive the usual
3 fifteen day appointment waiting period.

4
5 *Motion: That the Board of Selectmen waive the usual fifteen day appointment
6 effective waiting period for Anthony Donlon and Thomas Vail as requested
7 by the Director of Public Works and recommended by Town Manager.

8 Bettencourt – Powers All in favor. VOTED.
9

10 **BUSINESS**

11
12 **Cable Advisory Committee – Interview/Appointment – Will Miller – June 30, 2019**

13
14 Will Miller, 14 Ware Road, informed the Board that he is a new resident to Winchester. He explained
15 that he has had a long-term interest in information technology in the public sector, as well as being a
16 user of information technology.

17
18 *Motion: That the Board of Selectmen appoint Will Miller to the Cable
19 Advisory Committee for a term to expire June 30, 2019.

20 Powers – Bettencourt All in favor. VOTED.
21

22 **Field Management Committee Reappointments (2) – Terms to Expire July 19, 2018**
23 **Candidates for Reappointment: Patrick Gill and Lex DiMatteo**

24
25 *Motion: That the Board of Selectmen reappoint Patrick Gill and Lex DiMatteo
26 as members of the Field Management Committee for a term to
27 expire July 19, 2018.

28 Powers – Bettencourt All in favor. VOTED.
29

30 **Joint Convention with the Winchester Housing Authority – Jack Hurd, Executive Director**

31 Present: Stephen Carr Anderson, Richard Rohan, Brenda Kleshinsky, Catherine Boyle and candidate
32 for appointment Rodney Gay
33

34 Mr. Gay informed the Board that he has been a resident of the Westley Street Housing Complex for the
35 last six years. He noted that since Jack Hurd has been director, there has been a tremendous change in
36 the facilities. Mr. Gay indicated that he grew up in Winchester and is a graduate of Winchester High
37 School and has known Selectman Powers since he was a young teen.

38
39 *Motion: That the Board of Selectmen and the Winchester Housing Authority
40 appoint Rodney Gay as a member of the Winchester Housing Authority
41 for a term to expire March 28, 2017.

42 Boyle – Powers
43 By Roll Call Vote: Bettencourt, Powers, Whitehead, Grenzeback, Anderson,
44 Kleshinsky, Boyle, and Rohan VOTED.
45

46 Director Hurd informed the Board that new legislation requires that a tenant at a Winchester Housing
47 Authority property be a member of the WHA Board, therefore only another resident could have been
48 considered along with Mr. Gay. Stephen Anderson pointed out that the statute is clear on this however
49 DHCD has not provided local housing authority boards with guidelines.
50

51 **Group Home Update – Winchester Housing Authority**
52

**Monday, July 25, 2016
Board of Selectmen Meeting**

1 Catherine Boyle informed the Board that a group home is subject to having residents chosen without
2 regard to where they live, that is, Winchester residents would not be given preference and a group home
3 does not get Winchester where it wants to go. The Housing Authority has focused on a range of needs.
4 Ms. Boyle explained that required services depend upon the needs of the individual. She explained that
5 HUD allows housing authorities to project-base their Section 8 housing vouchers, which attaches to the
6 properties rather than the individuals. She noted that Winchester has fourteen of these vouchers.

7
8 Ms. Boyle explained each of the possible scenarios for vouchers.

9
10 #1. (3 vouchers) An RFP to landlords of existing units would be developed for units where the landlord
11 is willing to devote one or more of the following, up to a total of three vouchers from all proposals
12 accepted, to rental housing: a.) studio apartment, to be occupied by a resident requiring services, i.e., a
13 person with disabilities who requires a few hours each week of 'drop-in' support, utilizing one voucher
14 and count as one unit; b.) a one-bedroom apartment, to be occupied by a resident requiring services,
15 i.e., a person with disabilities who requires a few hours each week of 'drop-in' support, utilizing one
16 voucher and counts as one unit.

17
18 #2.1 (3 vouchers) An RFP to landlords of existing units would be developed for units where the landlord
19 is willing to devote one or more of the following, up to a total of three vouchers from all proposals
20 accepted, to rental housing: a.) two bedroom apartment to be occupied by residents in need of services;
21 a likely scenario would be one resident with disabilities and a live-in caregiver, utilizing one voucher
22 and counts as one unit; b.) three bedroom unit, house or apartment, to be occupied by residents in need
23 of services; a likely scenario would be two residents with disabilities and a live-in caregiver, uses two
24 vouchers and counts as two units; c.) four bedroom house or apartment, to be occupied by residents in
25 need of services, with a likely scenario being three residents with disabilities and a live-in caregiver,
26 using three vouchers and counting as three units.

27
28 Ms. Boyle noted that in each of the scenarios presented, live-in caregivers would receive a stipend from
29 MassHealth for providing care; individuals would also receive additional support hours from the
30 Department of Developmental Services. Section 8 vouchers would cover most of the costs however
31 proposals utilizing these three vouchers would require some additional funding from the Board of
32 Selectmen's Housing Fund to buy-down the value of the contract to an amount the vouchers will cover.

33
34 Ms. Boyle indicated that the goal would be to have units located within a mile of the Center and
35 walking distance to the bus line.
36

Size	Units counting on SHI	2016 HUD 100% FMR	2016 HUD 120% FMR	Avg. Winchester rent 2/12/16	Additional monthly subsidy needed	One-time fifteen (15) year subsidy
Two bedroom	1	1567	1880.4	\$2,056.25	\$ 175.85	\$31,653.00
three bedroom	2	1945	2334	\$2,560.00	\$ 226.00	\$40,680.00
four bedroom	3	2148	2577.6	\$3,562.50	\$ 984.90	\$177,282.00

37
38 #3. (8 vouchers) Provides 20 micro-units, and if done carefully, all units could qualify for the Subsidized
39 Housing Inventory; ten units would be market rate units, renting for approximately \$1300 each; four (4)
40 units would be for people in need of services such as individuals with developmental disabilities and
41 covered by project-based Section 8 vouchers; four (4) would be for other income qualified individuals
42 covered by project-based Section 8 vouchers and two would be for live-in assistants. Each of the units

Monday, July 25, 2016
Board of Selectmen Meeting

1 would be 450square feet in size with market rate units renting for \$1300. Total project cost is \$5million
2 of which acquisition is \$1.8 million and construction is \$3.2 million.

3
4 Suggested sources for the acquisition funding are \$1million linkage payment from Winning Farm,
5 \$850,000 from the Board of Selectmen Affordable Housing Fund, \$500,000 grant from the Federal
6 Home Loan Bank of Boston, \$1.20million mortgage carried by Section 8 rental vouchers and \$1.45
7 million mortgage carried by the market rate units. The following assumptions are also made: there
8 would be no property tax on the affordable units; a lower interest rate of 3.5% on affordable units due to
9 FHLB program vs. 4.0% on the market rate units. It is also assumed that the market for the market-
10 based units would be either young professionals or single elders; services for individuals with
11 disabilities could be covered through MassHealth and administered by an agency licensed by
12 MassHealth, and/or through the Department of Developmental Services. If any of the renters of the
13 market-based units needed an equivalent level of services, they could pay for those services. It is
14 suggested that a location on North Main Street would be very appropriate for young people with
15 disabilities as it is on the bus line, is walking distance to restaurants, stores, Horn Pond, and the
16 medical building. These individuals could also obtain jobs in the community either by utilizing public
17 transportation or going on foot. Ms. Boyle noted that the North Main Street location is a good fit with
18 items identified in a tool kit for urban design for people with autism.

19
20 Selectman Powers thanked Ms. Boyle for an understandable outline, commenting that he would like to
21 see some of the housing monies used for housing. As far as a commitment going forward, WHA
22 Executive Director Hurd informed the Board that that the WHA hopes to get this going in the next few
23 months. Town Manager informed the Board that his office has just received notice that a local owner
24 whose unit is deed restricted is planning on selling; there is an obligation to offer that unit to the Town
25 first. He explained that if the unit goes on the market restricted it would be subject to the DHCD
26 lottery process. He noted that the decision to be made is whether the Town should purchase this unit
27 and lease it back to the WHA. He indicated that there is a ninety (90) day turnaround that all have to
28 abide by. The unit is a two bedroom unit.

29
30 Chairman Grenzeback indicated that if there is a clear recommendation, the Board could meet between
31 August 8th and 21st.

32
33 **Town Center Street Scapes Concept - Town Planner Brian Szekely**

34
35 Town Planner Szekely outlined the corridor being considered, a corridor that ends with the Waterfield
36 parcel. Three firms were chosen that were varied in terms of their niche; the overall exercise was
37 successful with all designs recognizing the importance of Quill Rotary. The Planner noted that one
38 proposal turns the rotary into a town square. [Selectman Errico arrived at this point in the meeting.]

39
40 Planner Szekely informed the Board that all of the firms wanted to enhance the Rotary and make it
41 safer. One proposal focused on the Shore Road landscape and the other two focused on making the
42 Town Center more inviting. Selectman Bettencourt indicated that there are still issues to be worked
43 through as well as connecting Shore Road to the High School. He indicated that most of the proposals
44 reduced parking. Town Manager pointed out that for a reasonable cost, the Town got some good advice
45 and ideas; some firms took a more global view of the Center but it is important to realize overall that
46 the Town has several major initiatives under consideration that would change the face of the Center
47 and there are many things that could lead to receipt of the MassWorks Grant that could provide
48 changes. Planner Szekely noted that overall, the exercise was very successful.

49
50 Selectman Powers indicated that it seems to him that because Shore Road is tied in with the MBTA it
51 should get some attention because the area has potential. Selectman Bettencourt noted that there is
52 one proposal that reclaims the Aberjona Lot and makes it into greenspace. Chairman Grenzeback
53 encouraged his colleagues to review the presentation.

Monday, July 25, 2016
Board of Selectmen Meeting

1
2 **Wayfinding Signs - Town Planner Brian Szekely**
3

4 Planner Szekely recalled that a grant was awarded approximately two years ago which provided for all
5 of the new signage. Wayfinding provides directional cues. He noted that there is a small amount of
6 money remaining in the fund and the consultant came up with two additional ideas for directional
7 signs. Because of this, Planner Szekely explained that he would like to open the discussion for the
8 placement of these signs. He informed the Board that the consultant feels that the Church Street
9 /Cambridge Street area would be a good location for a wayfinding sign. He indicated that the question
10 before the Board is whether the Board wants the sign and where the sign should be placed.
11

12 The Planner informed the Board that the consultant also feels that a sign indicating Winchester's
13 location should be placed in Woburn near the Montvale Avenue intersection.
14

15 Selectman Errico asked if Traffic Advisory had any ideas about a possible location for these signs, with
16 Selectman Powers noting that the Cambridge Street / Church Street location makes sense.
17

18 Planner Szekely indicated that the funds were for the design and there is no money for sign fabrication.
19 The first round signs cost \$6500 for fabrication and installation. He suggested that the Board
20 recommend locations and send those recommendations to Traffic Advisory.
21

22 **Eversource Update**
23

24 Town Manager informed the Board that dialogue continues with neighboring communities on this issue
25 and staff continues to compile information with the help of the team of expert consultants. He indicated
26 that the case is moving ahead and the team feels that good information is being produced.
27

28 Chairman Grenzeback noted that the Siting Board filing date has been extended. He pointed out that
29 the route in Winchester over Cross Street to Washington Street is flawed and there are better and more
30 favorable alternatives that should be considered by Eversource. The alternative also proposes the use of
31 pipe-type installations, something that is more cost effective and less hazardous.
32

33 Town Manager indicated that he will continue to update the Board and continue to populate the Town's
34 website with new information.
35

36 **Town Counsel Selection Discussion**
37

38 Chairman Grenzeback framed the discussion by noting the need for the Board to agree on the number of
39 individuals to use as a screening committee as well as a scope of services for the new Town Counsel.
40 Selectman Powers, who was a member of the Board back in 1989 when the current Town Counsel was
41 retained, explained that they used five (5) individuals as a screening committee; each member of the
42 Board of Selectmen had one appointee to this committee.
43

44 Chairman Grenzeback indicated that it is Town Counsel's recommendation to ask Board members to
45 submit options for selection to the Town Manager for development into a single list, with a balance of
46 perspectives being the goal. He requested that his colleagues submit names for consideration to the
47 Town Manager.
48

49 Board members discussed whether an RFP for legal services should be prepared for distribution, as well
50 as considering what other communities do regarding legal services. Town Manager suggested that a
51 survey could be done, however most comparable towns use a mid-size or small law firm and some utilize
52 an in-house staff person as Town Counsel. He explained that Counsel Welch has filled a unique niche

**Monday, July 25, 2016
Board of Selectmen Meeting**

1 and knows the Town operations very well. He indicated that it would be nice to replicate his profile and
2 find someone with that level of expertise.

3
4 Chairman Grenzeback suggested that at the August 8th meeting the Board could put together a job
5 description / RFP document; another option is to form an advisory committee and run a draft RFP by
6 them. He indicated that if the Board settles on this course, the Town would have to advertise for
7 services and the hope is to have something to advertise by the end of August. He noted that an advisory
8 committee could screen applicants privately and make a recommendation to the Board. Chairman
9 Grenzeback indicated that it would be nice to have someone to introduce to the community at Fall Town
10 Meeting. Vice Chairman Whitehead informed his colleagues that as of this moment, he is leaning in
11 favor of a part-time in-house counsel.

12
13 **CONSENT AGENDA / SUPPLEMENTAL CONSENT AGENDA**

14
15 **One Day Alcoholic Beverage Licenses:**

16 Archie McIntyre for Wright Locke Farm Conservancy – August 6, 2016 – 1827 Barn;
17 Gail Freeman for Studio on the common – August 4, 2016 at Studio on the Common;
18 Michelle Noska for Beaujolaais Catering – October 1, 2016 – Temple Shir Tikvah;
19 Michelle Noska for Beaujolaais Catering – October 15, 2016 – Temple Shir Tikvah;
20 Diana Kenosian for Boston's Best Bartending – Sept. 17, 2016 – Sanborn House;
21 Bruce Bonnell for Winchester Seniors Association – Sept. 16, 2016 – Pond Room, Jenks
22 Center

23 **Supplemental Consent Agenda:**

24 **Staging Permit – 48 Mt. Vernon Street – Blue Hills Bank**
25 **Permission to Block Sidewalk – Spruce Street – Consigli Construction**
26 **Closure from August 1 to August 19, 2016 – north side of Spruce Street**

27
28 *Motion: That the Board of Selectmen Approve the Consent Agenda for
29 Monday, July 25, 2016 that includes One Day Alcoholic Beverage
30 Licenses for the following: Wright Locke Farm 1827 Barn on
31 August 6th, Studio on the common on August 4th, Temple Shir
32 Tikvah on October 1st and 15th, Sanborn House on September 17th
33 and the Winchester Seniors Association at the Jenks Center Pond
34 Room on September 16, 2016.

35 Powers – Bettencourt

36 In favor: Errico, Bettencourt, Powers, Whitehead, Grenzeback

VOTED.

37
38 *Motion: That the Board of Selectmen approve the Supplemental Consent
39 Agenda request for a Staging Permit at 48 Mt. Vernon Street –
40 Blue Hills Bank.

41 Powers – Bettencourt

42 In favor: Errico, Bettencourt, Powers, Whitehead, Grenzeback

VOTED.

43
44 It was the consensus of the Board to delay voting permission for Consigli Construction to block the
45 sidewalk on Spruce Street until all neighbors had been noticed.

46
47 **COMMUNICATIONS AND WORKING GROUP REPORTS**

48
49 The Board acknowledged receipt of the following correspondence:

- 50
51 1. Relay for Life Coordinator Rebecca Levine – Thank you for Board support
52 2. Brian Rabinovich, 21 Bellevue Avenue re: Forest Ridge Residences
53 3. Dorothy Feldman, 9 Polk Road re: Forest Ridge Residences – Bridge to Nowhere

Monday, July 25, 2016
Board of Selectmen Meeting

- 1 4. Dorothy Feldman, 9 Polk Road re: Improper Notification of 40B to Town of Winchester
- 2 5. Marlin Kaan, 22 Chisholm Road re: Forest Ridge Development Proposal
- 3 6. UMass Amherst – DEP LCCA Program
- 4 7. Richard and Cheryl Norsworthy, 53 Everett Avenue – request for “No Parking” signs
- 5 8. Rachel Roll, 7 Forest Circle re: Forest Ridge Residences
- 6 9. MAPC re: Municipal Elections to the Boston Region Metropolitan Planning Organization
- 7 10. Kenneth and Karen Tarbell – request to purchase plot at Wildwood Cemetery
- 8 11. Senator Jason Lewis and Representative Michael Day to MassHousing re: Forest Ridge, Winchester
- 9 12. Caroline Woodward re: Eversource Benefit offsets request
- 10 13. Email: Alban Landry re: Real Estate Taxes

11
12 **Adjournment**

13
14 *Motion: That the Board of Selectmen adjourn for the evening.

15 Powers – Bettencourt

16 By Roll Call Vote: Errico, Bettencourt, Powers, Whitehead, Grenzeback VOTED.

17
18 Respectfully submitted,

19
20
21
22 Richard C. Howard, Town Manager



Docket Item:
H - 4:
August 29, 2016

Town of Winchester

Application for Special (One Day) Alcoholic Beverage License

In accordance with MGL c.138, s.14, 23; CMR 7:04 and
Town of Winchester Procedural Requirements for Special (One Day) Alcoholic Beverage Licenses

Name of Applicant/ Organization:

Wright-Locke Farm Conservancy

Address: 78 Ridge Street, Winchester, MA 01890

Telephone Number: 781-729-8775

Permit Applying For:

All Alcohol License (\$75.00)

Beer and Wine Only License (\$75.00)

Nature and purpose of the event: FARM SUPPER

Number of persons attending event: 24

Description of premises and location of facility where liquor will be sold and/or distributed:

Inside the 1827 Barn

Name(s) of responsible manager (s) who will be in charge of dispersing the liquor; date of birth(s) and Social Security Number(s):

Archie McIntyre

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

was 9/21 6-9pm

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:

Archie McIntyre

Print Name of Responsible Manager:

[Handwritten signature]

RECEIVED
2016 JUL 30 AM 11:29
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event to:
Board of Selectmen; 71 Mt. Vernon Street; Winchester, MA 01890



Town of Winchester

Application for Special (One Day) Alcoholic Beverage License

In accordance with MGL c.138, s.14, 23; CMR 7:04 and
Town of Winchester Procedural Requirements for Special (One Day) Alcoholic Beverage Licenses

Name of Applicant/ Organization:

Wright-Locke Farm Conservancy

Address: 78 Ridge Street, Winchester, MA 01890

Telephone Number: 781-729-8775

Permit Applying For:

All Alcohol License (\$75.00)

Beer and Wine Only License (\$75.00)

Nature and purpose of the event: HARVEST DINNER

Number of persons attending event: 100

Description of premises and location of facility where liquor will be sold and/or distributed:

Inside the 1827 Barn

Name(s) of responsible manager (s) who will be in charge of dispersing the liquor; date of birth(s) and Social Security Number(s):

Archie McIntyre

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

SAT 9/10 6-11 PM

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:

Archie McIntyre

Print Name of Responsible Manager:

Archie McIntyre

NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event to: Board of Selectmen; 71 Mt. Vernon Street; Winchester, MA 01890

RECEIVED
2016 JUL 30 AM 11:29
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN



Town of Winchester

Application for Special (One Day) Alcoholic Beverage License

In accordance with MGL c.138, s.14, 23; CMR 7:04 and
Town of Winchester Procedural Requirements for Special (One Day) Alcoholic Beverage Licenses

Name of Applicant/ Organization:

Wright-Locke Farm Conservancy

Address: 78 Ridge Street, Winchester, MA 01890

Telephone Number: 781-729-8775

Permit Applying For:

All Alcohol License (\$75.00)

Beer and Wine Only License (\$75.00)

Nature and purpose of the event: FARM SUPPER

Number of persons attending event: 24

Description of premises and location of facility where liquor will be sold and/or distributed:

Inside the 1827 Barn

Name(s) of responsible manager (s) who will be in charge of dispersing the liquor; date of birth(s) and Social Security Number(s):

Archie McIntyre

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

Wed 10/19 6-9pm

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:

Archie McIntyre

Print Name of Responsible Manager:

[Handwritten signature]

RECEIVED
2018 JUL 30 AM 11:29
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event to: Board of Selectmen; 71 Mt. Vernon Street; Winchester, MA 01890



Town of Winchester

Application for Special (One Day) Alcoholic Beverage License

In accordance with MGL c.138, s.14, 23; CMR 7:04 and
Town of Winchester Procedural Requirements for Special (One Day) Alcoholic Beverage Licenses

Name of Applicant/ Organization:

Lauren LaFortune

Address:

44 Woods Road, Medford, MA 02155

Telephone Number:

(617) 943-3349

Permit Applying For:

All Alcohol License (\$75.00)

Beer and Wine Only License (\$75.00)

Nature and purpose of the event:

Bar Mitzvah reception for my son

Number of persons attending event:

Approximately 100 people, Max 120 people, but only 60 adults.

Description of premises and location of facility where liquor will be sold and/or distributed:

Temple Shir Tikvah, 34 Vine Street, Winchester, MA 01890

Name(s) of responsible manager (s) who will be in charge of dispersing the liquor; date of birth(s) and Social Security Number(s):

Lauren LaFortune DOB

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

9/10/16 4PM - 10PM

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:

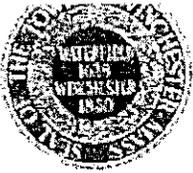
[Handwritten Signature]

Print Name of Responsible Manager:

Lauren LaFortune

NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event to:
Board of Selectmen; 71 Mt. Vernon Street; Winchester, MA 01890

RECEIVED
2016 JUL 31 AM 11:23
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN



Town of Winchester

Application for Special (One Day) Alcoholic Beverage License

*In accordance with M.G.A. c.138, s.14, s.15, c.14B, s.6A and
Town of Winchester Procedural Requirements for Special (One Day) Alcoholic Beverage Licenses*

Name of Applicant/ Organization: Caterstaff of Boston, Inc
Address: 120 Cambridge St - Suite B, Cambridge, MA 02141
Telephone Number: 617 300 0994

Permit Applying For:

All Alcohol License (\$75.00)*

Beer and Wine Only License (\$75.00)*

Nature and purpose of the event: wedding reception

Number of persons attending event: 80

Description of premises and location of facility where liquor will be sold and/or distributed:

Wright Lodge Farm

Name(s) of responsible manager (s) who will be in charge of dispensing the liquor, date of birth(s) and Social Security Number(s):

Derek Crooks

Date(s) and times of event and/or specific times when alcoholic beverages will be on the premises:

10-15-2016 4-9pm

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:

Derek Crooks

Print Name of Responsible Manager:

Derek Crooks

NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event to:
Board of Selectmen: 71 Mt. Vernon Street; Winchester, MA 01890.

***A \$75.00 LATE FEE WILL BE CHARGED FOR ANY APPLICATION SUBMITTED LESS THAN TWO WEEKS BEFORE THE EVENT.**

m: forms one day alcoholic application



Town of Winchester

Application for Special (One Day) Alcoholic Beverage License

In accordance with MGL c.138, s.14, 23; CMR 7:04 and
Town of Winchester Procedural Requirements for Special (One Day) Alcoholic Beverage Licenses

Name of Applicant/ Organization:

Winchester Boat Club

Address:

65 Cambridge Street, Winchester Ma

Telephone Number:

781-729 0584

Permit Applying For:

All Alcohol License (\$75.00)

Beer and Wine Only License (\$75.00)

Nature and purpose of the event:

Sunset Cocktail Party - end
of season

Number of persons attending event:

150

Description of premises and location of facility where liquor will be sold and/or distributed:

Private Club, water front clubhouse

Name(s) of responsible manager (s) who will be in charge of dispersing the liquor; date of birth(s) and Social Security Number(s):

Kathryn Scholl Bianca

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

Thursday, Sept 1, 2016 7-10 PM

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:

Kathryn Scholl

Print Name of Responsible Manager:

KATHRYN I. SCHOLL

RECEIVED
2016 JUL -3 AM 11:22
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

**NOTE: Application must be submitted a minimum of TWO WEEKS prior to the scheduled event to:
Board of Selectmen; 71 Mt. Vernon Street; Winchester, MA 01890**



H-5
AUGUST 29, 2016
RECEIVED

Town of Winchester
Board of Selectmen, 71 Mt. Vernon Street, Winchester, MA 01890

2016 JUL -1 PM 3: 15

STAGING PERMIT APPLICATION

TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

Complete this application and return it to the Winchester Board of Selectmen. Under no circumstances may work be started until an approved Staging Permit is obtained, and the appropriate fees (\$25) paid in full. Please make check out to Town of Winchester.

The undersigned respectfully applies for a permit to erect staging/ladders for the purpose of:

Installing a storefront sign.

Requested dates of use of Town property: August 30, 2016

Proposed sign location (if applicable): 17 Thompson St.

Business/Owner: Stephanie Stryker Telephone: 978 289 7221

Business Owner's Address: 801 Resurrection Rd Andover

Property Owner: Hugo LaFauci Telephone: 603 763 3833

Property Owner's Address: 17 Thompson St.

Staging Contractor: Wicked Sticky Designs Telephone: 978 394 0313

Staging Contractor's Address: _____

The Board of Selectmen may request that the Design Review Committee, prior to approval, review this application.

I hereby certify that the dimensions and other information on this application and plans or sketch submitted herewith are correct, and that all applicable provisions of Statutes, Regulations and By-Laws will be complied with. The above is subscribed to and executed by me under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws.

Signature of the Owner or Lessee: [Signature] Date: 8/10/16

For office purposes only:			
Has the petitioner filed with the Town an insurance policy in the amount of \$300,000 for bodily injury, \$500,000 per accident, and \$300,000 in property damage naming the Town of Winchester as co-insured?	Yes ___	No ___	
Has the Winchester Building Department approved a Sign Permit?	Yes <input checked="" type="checkbox"/>	No ___	Date <u>8/10/16</u>
Referred to the Design Review Committee	Yes ___	No <input checked="" type="checkbox"/>	Date ___
Approval date by the Board of Selectmen			Date ___

No. **741**

POST THIS PERMIT IN A CONSPICUOUS PLACE
Winchester, Mass. **8/10/16**



TOWN OF WINCHESTER BUILDING PERMIT

This certifies that Eveef Sigm
has permission to Stephanie S. play
on 17 Thompson St

Provided that the person accepting this permit shall in every respect conform to the terms of the application on file in this office; to the provisions of the State Building Code, the Statutes of the Commonwealth and the Zoning By-Laws of the Town of Winchester governing the Inspection, Erection, Enlarging, Altering, Raising, Moving, Repairing or Demolition of any Building or part thereof.

An appeal from the issuance of this permit must be taken as provided in MGL Chapter 40A Sections 8 and 15 or Section 122 of the State Building Code.

WIRING INSPECTOR STAMP HERE	PLUMBING STAMP HERE	GAS	BUILDING INSPECTOR STAMP HERE		CONSERVATION COMM.
			ROUGH	FINAL	
ROUGH	TEMPORARY	ROUGH	ROUGH	ROUGH	
SERVICE	UNDERGROUND	FINAL	FINAL	FOUNDATION	FIRE DEPT. APPROVAL
OILBURNER	FINAL			ROUGH FINISH	
				INSULATION	FINAL OCCUPANCY

This Card must be displayed in a Conspicuous place on the premises and Not Torn Down or Removed until Completion of Work.

No wall or ceiling shall be lathed or otherwise covered until this card bears STAMP OF INSPECTORS IN SPACES DESIGNATED FOR THIS PURPOSE.
BUILDINGS CANNOT BE OCCUPIED UNTIL OCCUPANCY PERMIT HAS BEEN ISSUED BY THIS OFFICE

This permit is invalid unless work commences within six (6) months of issuance.

John A. White

Building Commissioner

**TOWN OF
WINCHESTER
OFFICE OF THE
BUILDING COMMISSIONER**

REC'D FROM SoleAmour LLC DATE 8/10/16

ADDRESS _____
 BY AM CASH CHECK 2627

	AMOUNT
BUILDING	
<u>17 Thompson</u>	<u>50 40</u>
GAS	
HEATING	
PLUMBING	
WIRING	
<u>77589</u>	
TOTAL	<u>50 40</u>



RECEIVED

2016 JUL -1 PM 3: 15

Town of Winchester
Selectmen, 71 Mt. Vernon Street, Winchester, MA 01890

SIGNING PERMIT APPLICATION

TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

to the Winchester Board of Selectmen. Under no circumstances may work be done until a permit is obtained, and the appropriate fees (\$25) paid in full. *Please make check out to*

a permit to erect staging/ladders for the purpose of:

storefront sign

August 30, 2016
17 Thompson St.

Joe Stucky Telephone: 978 289 7221
Renewalton Rd Andover

LaFauci Telephone: 603 763 3835

Thompson St.
1 Stickey Designs Telephone: 978 394 0312

submit this application to the Design Review Committee, prior to approval, review this application.

all other information on this application and plans or sketch submitted herewith are subject to the provisions of Statutes, Regulations and By-Laws will be complied with. The above is subject to the penalties of perjury in accordance with Section 1-A of Chapter 268, General

Mr. [Signature] Date: 8/10/16

SOLEAMOUR LLC
10 POST OFFICE AVE
ANDOVER, MA 01810

PAY TO THE ORDER OF Town of Winchester
Twenty Five

DATE 8/10/16
25 DOLLARS

Enterprise Bank

Enterprise Bank & Trust Company
100 MILL WASHINGTON ST

FOR DEPOSIT ONLY
⑆002628⑆ ⑆011302742⑆ 558 044⑆

[Signature]

2628

For office purposes only:

- Has the petitioner filed with the Town an insurance policy in the amount of \$300,000 for bodily injury, \$500,000 per accident, and \$300,000 in property damage naming the Town of Winchester as co-insured? Yes ___ No ___
- Has the Winchester Building Department approved a Sign Permit? Yes No ___ Date 8/10/16
- Referred to the Design Review Committee Yes ___ No Date ___
- Approval date by the Board of Selectmen Date ___

Mawn, Patti

From: Peter MacDonnell <pmacdonnell@winchesterpd.org>
Sent: Wednesday, August 10, 2016 3:31 PM
To: Mawn, Patti
Subject: RE: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street

*Hi Patti,
The police have no objection
Peter*

*Peter MacDonnell
Chief of Police
Winchester Police Department
30 Mount Vernon Street
Winchester, MA 01890
Main: (781)729-1212
Office: (781)729-5429*

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

*From: Mawn, Patti [mailto:pmaawn@winchester.us]
Sent: Wednesday, August 10, 2016 3:30 PM
To: Kostos, Anne; Wile, John; Peter MacDonnell; Nash, John; Gill, James
Cc: Taft, Joanne; Viarella, Janine; Barbara Bosco; Coviello, Diane
Subject: FW: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street
Importance: High*

May I have your comments on the attached request for a Staging Permit made by Stephanie Siple, owner of Sole Amour, for the premises at 17 Thompson Street

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

*From: ricoh@winchester.us [mailto:ricoh@winchester.us]
Sent: Wednesday, August 10, 2016 3:28 PM
To: Mawn, Patti
Subject: Message from "RNP0026736CAA87"*

This E-mail was sent from "RNP0026736CAA87" (Aficio MP 9002).

*Scan Date: 08.10.2016 15:28:00 (-0400)
Queries to: ricoh@winchester.us*

staging permit

Mawn, Patti

From: Wile, John
Sent: Wednesday, August 10, 2016 3:36 PM
To: Mawn, Patti; Kostos, Anne; Peter MacDonnell (pmacdonnell@winchesterpd.org); Nash, John; Gill, James
Cc: Taft, Joanne; Viarella, Janine; Barbara Bosco; Coviello, Diane
Subject: RE: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street

I have no issues. Al

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

*From: Mawn, Patti
Sent: Wednesday, August 10, 2016 3:30 PM
To: Kostos, Anne <akostos@winchester.us>; Wile, John <jwile@winchester.us>; Peter MacDonnell (pmacdonnell@winchesterpd.org) <pmacdonnell@winchesterpd.org>; Nash, John <jnash@winchester.us>; Gill, James <jgill@winchester.us>
Cc: Taft, Joanne <jtaft@winchester.us>; Viarella, Janine <jtustin@winchester.us>; Barbara Bosco <bbosco@winchesterpd.org>; Coviello, Diane <dcoviello@winchester.us>
Subject: FW: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street
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*Scan Date: 08.10.2016 15:28:00 (-0400)
Queries to: ricoh@winchester.us*

staging permit

Mawn, Patti

From: Gill, James
Sent: Wednesday, August 10, 2016 3:50 PM
To: Mawn, Patti
Cc: Kostos, Anne; Wile, John; Peter MacDonnell (pmacdonnell@winchesterpd.org); Nash, John; Taft, Joanne; Viarella, Janine; Barbara Bosco; Coviello, Diane
Subject: Re: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street

The Dpw has no objection .

Sent from my iPhone

> On Aug 10, 2016, at 3:29 PM, Mawn, Patti <pmawn@winchester.us> wrote:
>
> May I have your comments on the attached request for a Staging Permit
> made by Stephanie Siple, owner of Sole Amour, for the premises at 17
> Thompson Street
>
> -----Original Message-----
> From: ricoh@winchester.us [mailto:ricoh@winchester.us]
> Sent: Wednesday, August 10, 2016 3:28 PM
> To: Mawn, Patti
> Subject: Message from "RNP0026736CAA87"
>
> This E-mail was sent from "RNP0026736CAA87" (Aficio MP 9002).
>
> Scan Date: 08.10.2016 15:28:00 (-0400) Queries to: ricoh@winchester.us
>
> staging permit
> <201608101528.pdf>

Mawn, Patti

From: Nash, John
Sent: Thursday, August 11, 2016 8:20 AM
To: Mawn, Patti
Subject: RE: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street

The Winchester Fire Department has no objection to the permitting of Staging for the premises at 17 Thompson Street , provided 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: Mawn, Patti
Sent: Wednesday, August 10, 2016 3:30 PM
To: Kostos, Anne <akostos@winchester.us>; Wile, John <jwile@winchester.us>; Peter MacDonnell (pmacdonnell@winchesterpd.org) <pmacdonnell@winchesterpd.org>; Nash, John <jnash@winchester.us>; Gill, James <jgill@winchester.us>
Cc: Taft, Joanne <jtaft@winchester.us>; Viarella, Janine <jtustin@winchester.us>; Barbara Bosco <bbosco@winchesterpd.org>; Coviello, Diane <dcoviello@winchester.us>
Subject: FW: Message from "RNP0026736CAA87" Staging Permit Request - 17 Thompson Street
Importance: High*

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Queries to: ricoh@winchester.us

staging permit

Mawn, Patti

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To: Mawn, Patti
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Chief John Nash

Winchester Fire Department

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

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

*From: Mawn, Patti
Sent: Wednesday, August 10, 2016 3:30 PM
To: Kostos, Anne <akostos@winchester.us>; Wile, John <jwile@winchester.us>; Peter MacDonnell (pmacdonnell@winchesterpd.org) <pmacdonnell@winchesterpd.org>; Nash, John <jnash@winchester.us>; Gill, James <jgill@winchester.us>
Cc: Taft, Joanne <jtaft@winchester.us>; Viarella, Janine <jtustin@winchester.us>; Barbara Bosco <bbosco@winchesterpd.org>; Coviello, Diane <dcoviello@winchester.us>
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To: Mawn, Patti
Subject: Message from "RNP0026736CAA87"*

This E-mail was sent from "RNP0026736CAA87" (Aficio MP 9002).

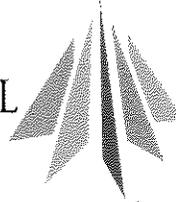
Scan Date: 08.10.2016 15:28:00 (-0400)

Queries to: ricoh@winchester.us

staging permit

Docket Item:
I-1:
August 29, 2016

WINCHESTER
MULTICULTURAL
NETWORK



Building Inclusive Community

RECEIVED
2016 AUG 17 AM 10:38
TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN

Board of Selectman
Attn: Lance Grenzeback, Chair
Winchester Town Hall
71 Mount Vernon Street
Winchester, MA 01890

August 12, 2016

To the Board of Selectmen:

The Winchester Multicultural Network Board voted at its May meeting to request that the Board of Selectmen consider changes in policy and practice at Wildwood Cemetery, to enhance the spirit of inclusion for all in our community. As the town's Human Rights statement affirms, "Winchester is a community grounded in respect for every individual. It is town policy to ensure equal treatment and opportunity to all individuals regardless of race, gender, gender identity, ethnicity, religion, ideology, socio-economic status, health, sexual orientation, age, military status, or disability." In keeping with the town's Human Rights statement, the Network is requesting that the policies and practices at Wildwood Cemetery demonstrate respect for and sensitivity to the religious diversity in our community.

The rules for Wildwood Cemetery gravesite decorations state, on page 5:

" (j) Holiday wreaths are permitted on monuments. However, other personal items, including but not limited to wind chimes, wreaths, holiday ornaments, or watering hoses may not be placed on or hanging from any tree or monument.

(n) Holiday decorations may be placed from May 15 to July and from December 1 to January 15, and are subject to removal by cemetery staff after these dates."

It would appear that these rules, adopted in 1993, were written with the Christmas and Memorial Day/July 4th Holiday seasons in mind. A more inclusive set of rules might allow for individuals to decorate gravesites even if their holidays do not fall during those two time periods.

Additionally, the practice of putting up Christmas Holiday wreaths on the entrance gates, and multicolored lights on the evergreen tree at the Wildwood Cemetery office, gives the

impression that the Cemetery, which is public and non-denominational, is a Christian cemetery.

We brought concerns about the decorations to the Wildwood Cemetery Advisory Committee last fall after researching the practices of several other public cemeteries in nearby towns with comparable populations. The Advisory Committee decided they did not have authority on policy decisions, explaining that the Winchester's Board of Selectmen are the Cemetery Commissioners.

We would appreciate an opportunity to discuss these issues with you. Thank you in advance for your consideration and commitment to a welcoming, caring, and inclusive community.



Hillary Turkewitz
Chair, Response Committee
Board of the Winchester Multicultural Network



Aba Taylor
Executive Director
Winchester Multicultural Network

EVERSOURCE
101 Linwood Street
Somerville, MA 02143

RECEIVED

2016 AUG 22 PM 1:48

TOWN OF WINCHESTER
TOWN MANAGER
August 11, 2016
BOARD OF SELECTMEN

Board of Selectmen
Town Hall
Winchester, MA 01890

RE: Church Street & Fletcher Street
Winchester, MA 01890
W.O. #2157624

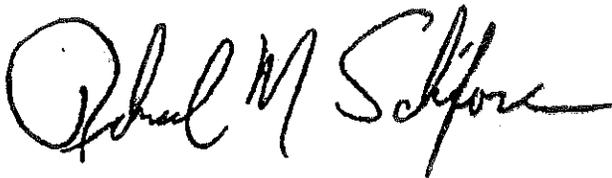
Dear Members of the Board:

The NSTAR Electric Company d/b/a Eversource Energy respectfully requests a Grant of Location for the installation of approximately 9 feet of conduit in Church Street, Winchester.

This work is necessary to supply power to a traffic light control box.

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

EVERSOURCE
101 Linwood Street
Somerville, MA 02143

Docket Item:
I-2:
August 29, 2016

2016 AUG 22 PM 1:48

TOWN OF WINCHESTER
TOWN MANAGER
August 11, 2016
BOARD OF SELECTMEN

Board of Selectmen
Town Hall
Winchester, MA 01890

RE: Church Street & Fletcher Street
Winchester, MA 01890
W.O. #2157624

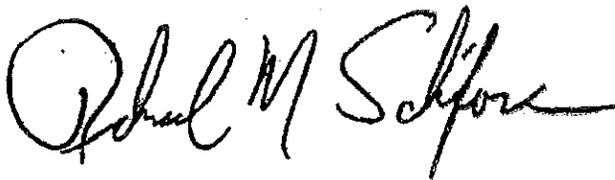
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Very truly yours,



Richard M. Schifone, Supervisor
Rights and Permits

RMS/cf

CATHERINE A. FLAHERTY EVERSOURCE ENERGY ONE NSTAR WAY MS-SOMERVILLE WESTWOOD MA 02090		1051
DATE <u>August 11, 16</u>		88-767/1130
PAY TO THE ORDER OF <u>Town of Winchester</u>	\$ <u>100.00/100</u>	
<u>One Hundred & no/100</u>	DOLLARS	Security Features Included
Not Valid For Amount Over \$5000		
J.P.Morgan		
JP Morgan Chase Bank, N.A. Commercial Credit Card Access Check		
MEMO <u>Church @ Fletcher St / w.o. #2157624</u>	<u>Catherine A. Flaherty</u>	
⑆ 1 3007673⑆ 5287174395773⑆ 1051		

PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY FOR 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 **August 11, 2016** and filed herewith, under the following public way or ways of said Town:

Church Street - Southwesterly from pole 23/31 approximately 70 feet northeast of Fletcher Street a distance of about 9 feet conduit.

W. O. #2157624

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

By: 

Richard M. Schifone, Supervisor
Rights and Permits

Dated this 11th day of August, 2016

Town of Winchester, Massachusetts

Received and filed _____, 2016

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

Town of Winchester, Massachusetts August 11, 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.

Church Street - Southwesterly from pole 23/31 approximately 70 feet northeast of Fletcher Street a distance of about 9 feet conduit.

W. O. #2157624

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 August 11, 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.

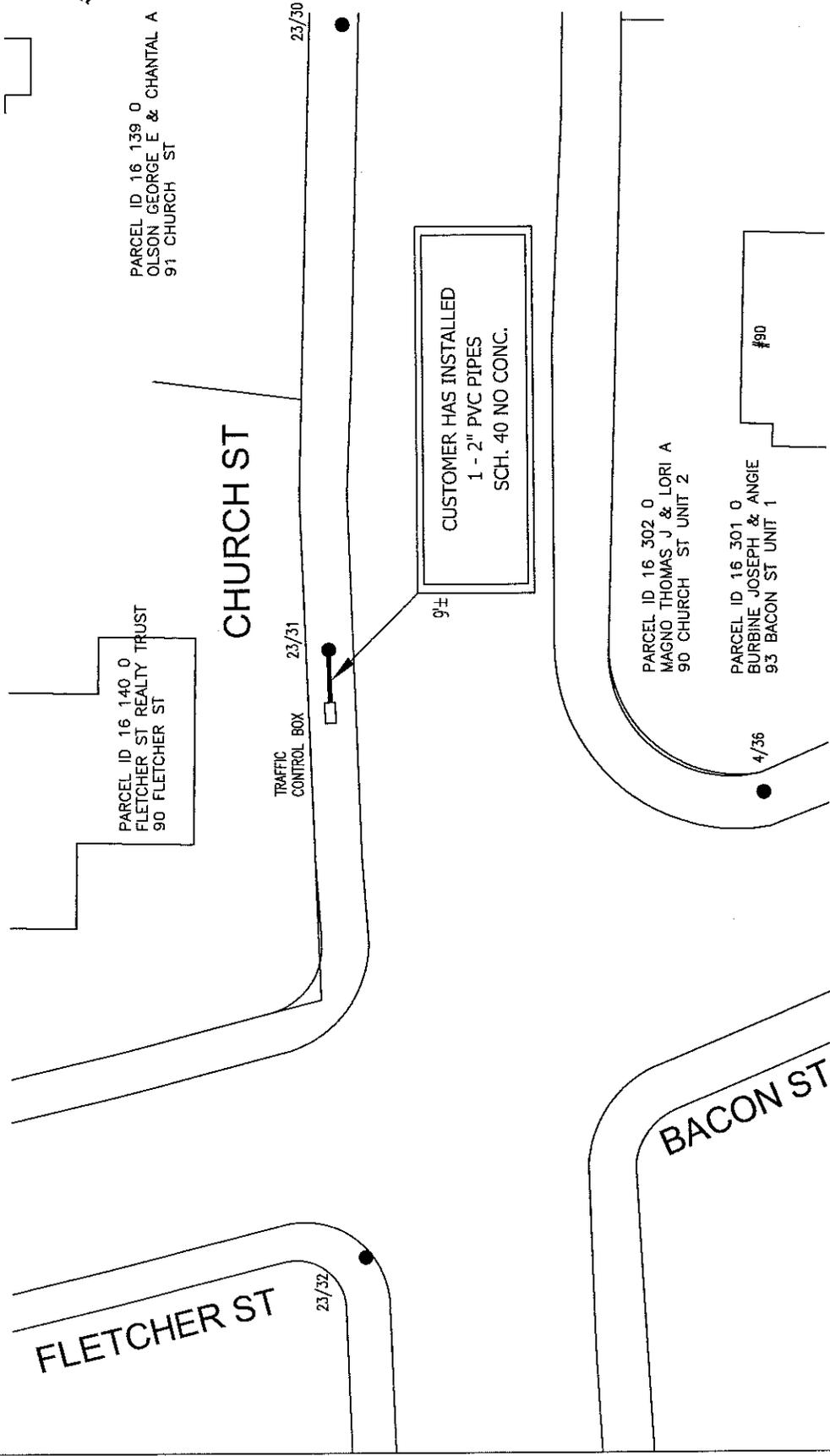
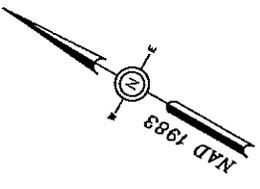
1 _____
 2 _____ Board of Selectmen
 3 _____ the Town of
 4 _____ **Winchester**
 5 _____

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



PARCEL ID 16 140 0
FLETCHER ST REALTY TRUST
90 FLETCHER ST

PARCEL ID 16 139 0
OLSON GEORGE E & CHANTAL A
91 CHURCH ST

CHURCH ST

TRAFFIC CONTROL BOX

CUSTOMER HAS INSTALLED
1 - 2" PVC PIPES
SCH. 40 NO CONC.

PARCEL ID 16 302 0
MAGNO THOMAS J & LORI A
90 CHURCH ST UNIT 2

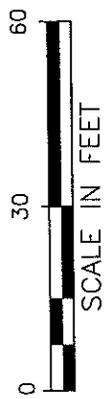
PARCEL ID 16 301 0
BURBINE JOSEPH & ANGIE
93 BACON ST UNIT 1

FLETCHER ST

BACON ST

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN BY THE ENGINEER OR THE NSTAR ELECTRIC COMPANY. NSTAR HAS CONDUCTED A VISUAL SURVEY OF THE AREA SHOWN ON THIS MAP. NEITHER THE ENGINEER NOR NSTAR ELECTRIC COMPANY SHALL BE RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS CAUSED BY THE 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 LOSSES OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE, AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR ANY DAMAGE TO PROPERTY OR PERSONS CAUSED BY THE 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 LOSSES OR INJURY.



NSTAR EVERSOURCE ELECTRIC 07070 A 1166 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125	
C#	Plan of CHURCH ST WINCHESTER
Ward #	
Work Order #	2157624
Surveyed by:	
Research by:	MR
Plotted by:	MR
Proposed Structures:	MR
Approved:	A DEBENEDICTIS
P#	1 of 1
Scale	1" = 30'
Date	AUGUST 11, 2016
SHEET	1 of 1

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

WO#2157624
CHURCH ST
WINCHESTER, MA 01890

PARCEL ID 16 140 0
90 FLETCHER ST
FLETCHER ST REALTY TRUST
DARRYLN BRADFORD TRUSTEE
90 FLETCHER ST
WINCHESTER, MA 01890

PARCEL ID 16 139 0
91 CHURCH ST
OLSON GEORGE E & CHANTAL A
91 CHURCH ST
WINCHESTER, MA 01890

PARCEL ID 16 302 0
90 CHURCH ST UNIT 2
MAGNO THOMAS J & LORI A
90 CHURCH ST UNIT 2
WINCHESTER, MA 01890

PARCEL ID 16 301 0
93 BACON ST UNIT 1
BURBINE JOSEPH & ANGIE
93 BACON ST UNIT 1
WINCHESTER, MA 01890

Beacon Hill must help local retailers

By Jon Hurst and Harold Tubman

HAVE YOU noticed a dark storefront on your Main Street lately? Perhaps it's more like a half dozen. Or that, if replacements come, they tend to be second-hand stores, nail salons, and service providers instead of traditional retailers?

There are many reasons for all that, but the overarching one is that costs are rising far faster than sales. Payroll, health insurance, and rent are all going up at a rate far greater than inflation, yet sales for many are at best flat or up by just the rate of inflation.

Competition is more intense than ever against online sellers, with mobile commerce accelerating far faster than anyone ever imagined. Mobile commerce is the shopping preference for cost-conscious millennials. Too many of those online sellers don't collect the state sales tax, giving them a government granted 6.25 percent price advantage right at the start. Their payrolls are slim, because they often operate out of warehouses manned by robots.

Too often, online sellers reap a competitive advantage under antiquated and unevenly applied laws that hurt the local store vis-a-vis the online companies. Our sales tax is the prime example there; it has long been a government-imposed disadvantage for Main Street merchants in Massachusetts versus online and New Hampshire competitors. It was bad enough a decade ago when consumers needed to drive north — or have a computer with high speed internet to shop tax free from a handful of sellers. Today online shopping is fast and easy, with unlimited options, something that can be accomplished with just a few clicks of the smartphone.

Another government-imposed disadvantage real stores face versus online sellers and merchants in other states is our antiquated blue laws. Massachusetts is one of only two states in the nation with premium pay requirements for retailers, forcing stores to pay time and a half hourly pay on 52 Sundays and six holidays, while merchants in 48 states and online have no such government-imposed cost anchor around their necks.

In fact, retailers in Massachusetts pay an average of \$4,800 per employee per year more than every other state except Rhode Island due entirely to the blue laws. It is impossible to be competitive on price with that state-imposed burden.

This year, Beacon Hill had the opportunity to even the playing field on these issues, and to give local stores a fighting chance, but they walked away from the necessary reforms. A sales tax holiday, which had become a reasonably regular occurrence, was not passed. Such a sales-tax-free weekend would have given local stores some relief, with two summer days to lure tax-sensitive customers back from sellers and competitors who enjoy 365 days a year of tax-free sales. But our policymakers didn't view that as a priority.

Nor did they reform the blue laws so local stores would be able to operate just like any other industry in the Commonwealth — and just like retailers across the nation — by paying newly hired employees straight time on Sundays moving forward.

They didn't view it as a priority.

Yet to add insult to injury, they did pass legislation to make it clear that locally based internet seller-fulfillment centers are exempt from the blue laws, and thus are able to operate 365 days a year without any premium-pay requirements.

Allowing the big internet competition to keep selling without sales tax collections and letting them escape antiquated labor-law requirements that bind brick-and-mortar Main Street businesses are two stark examples of state government picking winners and losers. Unfortunately, the losers are real local stores, their employees, and their communities.

So the next time you see that vacant storefront, take a picture of it and share it on social media with your legislators. Tell them it is time that government officials made it a priority to promote, protect, and preserve our Main Streets, rather than driving our consumer dollars out of state.

Jon Hurst is president of the Retailers Association of Massachusetts. Harold Tubman is president of Circle Furniture.

STAY CONNECTED:



Docket Item:
I - 4;
August 29, 2016



Town of Winchester

Richard C. Howard
Town Manager

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

MEMORANDUM

TO: Department Heads
Boards and Committee Chairmen

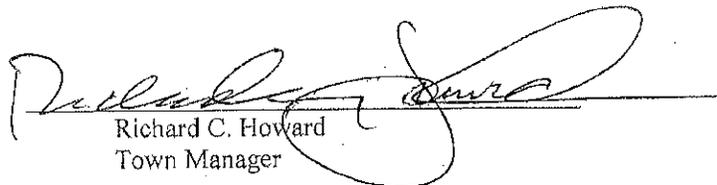
DATE: August 10, 2016

SUBJECT: CORRECTION - Warrant Articles for Fall Town Meeting

The Annual Fall Town Meeting is scheduled for **Thursday, November 10, 2016** due to the Federal election on Tuesday, November 8. The warrant for Town Meeting closes on Monday, September 26, 2016.

Accordingly, please plan to have any potential warrant articles, in warrant article format, submitted to the Selectmen's Office by 7:00 PM on or before September 26, 2016.

Thank you.


Richard C. Howard
Town Manager

/jc

Educational Facilities Planning and Buildi
Minutes of the Meeting July 20, 2010

Members Present: Brendan Driscoll, Judy Evans, Roger Hain and Todd Kosterman.

Members Absent: Bob Dearing, Don Cecich, Charles Tseckares, Geethanjali Mathiyalakam, Shelly Walsh, Susan Verdicchio and Jessica Lohnes.

Others Present: Jim Dowd, Skanska USA Building; Lorraine Finnegan and Dave Fanuele, SMMA; John LaMarre, Consigli Project Manager; Gerald Nardone, Consultant; and Meg White, Project Manager.

Because there was not a quorum, no votes were taken. Jim Dowd updated the Committee on the multi-purpose room wall safety pads as well as construction status.

Because invoices required action, the Committee members present agreed to reconvene the meeting at Monday, July 25, 2016 at 8:00 AM at Parkhurst School for the purpose of reviewing and approving invoices and spending authorizations.

Respectively submitted,



Donald E. Cecich
EFPBC Secretary

Attachments:

1. Skanska Meeting Agenda dated July 20, 2016 including:
 - a. Consigli Change Request #558 for Wall pads at the Gym Multipurpose Room.
 - b. Quotation from cb seating for Gym wall safety pads.
 - c. Work Changes Proposal Request Number 251- Add gym wall safety pads.

SKANSKA

7-20-16
#1

EFPBC Meeting Agenda Items – 7/20/16

Comments from the Audience:

High School:

Multi-purpose Room Wall Pads

Construction Update

Deliverables:

School Department – None

Invoices:

Review/Approve submitted invoices/requisitions.

Review/Approve Change Orders/Spending Authorization

Minutes:

Review/Approve minutes

Next Meeting:

August 3, 2016 – Project Update



CONSIGLI

Est. 1905

Change Request

To: Lorraine Finnegan
Symmes Maini & Mckee
Ph: (617)520-9299 Fax: (617)354-5758

Number: 558
Date: 7/7/16
Job: 1326 Winchester High School
Phone:

Description: PR-251 Wall Pads at Gym Multi-Purpose Room (Sub 07/18/16)

Source: PR # 251

We offer the following specifications and pricing to make the changes as described below:

CR-558 is submitted in accordance with SMMA's issuance of PR-251 dated 07/05/16, which adds wall safety pads around the perimeter of multipurpose room E207 as noted on the attached SKA-177. The attached pricing is for CB Seating to furnish and install these added wall safety pads.

Qualifications & Exclusions:

- Formal approval of this CR will be required prior to proceeding with this added scope of work.
- The wall safety pads have a lead time of 4 weeks, and in order to install these wall pads prior to turnover of the phase 2 spaces to the owner, approval of CR-558 will be required prior by 08/01/16. If the added wall safety pads are not approved by 08/01/16, the wall safety pads may be installed during the school's christmas vacation, or CR-558 will be resubmitted with premium time included for installation after hours or on Saturdays.

Description	Labor	Material	Equipment	Subcontract	Other	Price
CB Seating Porposal (07/14/16)				\$8,631.60		\$8,631.60
					Subtotal:	\$8,631.60
			Bond (1%)	\$8,631.60		\$86.32
			General Liability (1.5%)	\$8,631.60		\$129.47
			Subguard (1.2%)	\$8,631.60		\$103.58
			OH&P (5% on Subs, 10% Self-Perform)	\$8,950.97		\$447.55
			Adjustment			\$0.00
					Total:	\$9,398.52

SCHEDULE IMPACT

- We have proceeded with this change to achieve schedule.
- As directed, we will not proceed with this change until formal direction from OWNER is received.

Symmes Maini & Mckee
ARCHITECT

Consigli Construction Co., Inc.
CONTRACTOR
72 Sumner Street
Milford, MA 01757

Skanska USA Building Inc.
OWNER
253 Summer Street
Boston, MA 02210

(Signature)
Lorraine Finnegan

(Signature)

(Signature)
Jim Dowd

By

By

By

Date

Date

Date



cb seating

36 Canal Street
 Suite 290
 Somersworth, NH 03878
 T (603) 692-6600
 F (603) 692-5115

July 14, 2016

Project: Winchester High School
 Quotation No: AE071416JRW, Specification Section:

We propose to furnish, deliver and install the following:

<p>As Manufactured by Performance Sports Systems</p> <p>(67) 4110 STD 2x6 poly-foam wall pads (6) 12x6x6 poly-foam corner pads (2) 6x6x6 poly-foam corner pads</p>	<p>Material: \$ 4,505.65 Estimated Freight: \$800.00 Labor: \$2,250.00 Subtotal: \$7,555.65 OH&P (20%): \$1,075.95 15% Total: \$8,631.60</p>
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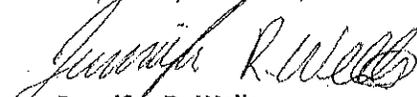
Note(s):

1. If accepted, please sign and return.

This quotation is subject to the following conditions:

1. Prices are furnished, delivered and installed. Payment is Net 15 days from date of installation (or delivery of material).
2. Based on delivery in: **TBA**
3. All building electrical work and final hook up to the above equipment is by others.
4. Based on manufacturer's standard product and color offerings unless otherwise noted.
5. Price does not include any taxes, licenses, permits or bonds.
6. Price is valid for 60 days from the date shown above unless extended by CB Seating.
7. Price is valid for product shipped within 12 months of the date shown.
8. The information on this page is personal and confidential to the individual listed above.

Respectfully Submitted,


Jennifer R. Wells

If accepted, please sign and send back: _____


AIA Document G709™ – 2001
Work Changes Proposal Request

PROJECT (Name and address):
12023 Winchester High School
Winchester, Massachusetts

PROPOSAL REQUEST NUMBER: 251

OWNER:

DATE OF ISSUANCE: July 5, 2016

ARCHITECT:

OWNER (Name and address):
Town of Winchester acting through
the Town Manager
71 Mount Vernon Street
Winchester, Massachusetts 01890

CONTRACT FOR: General Construction

CONSULTANT:

CONTRACTOR:

CONTRACT DATE:

FIELD:

OTHER:

FROM ARCHITECT (Name and address):
Symmes Maini & McKee Associates,
Inc.
1000 Massachusetts Avenue
Cambridge, Massachusetts 02138

ARCHITECT'S PROJECT NUMBER: 12023

TO CONTRACTOR (Name and address):
Consigli Construction Co., Inc.
72 Sumner Street
Milford, Massachusetts 01757

Please submit an itemized proposal for changes in the Contract Sum and Contract Time for proposed modifications to the Contract Documents described herein. Within Zero (0) days, the Contractor must submit this proposal or notify the Architect, in writing, of the date on which proposal submission is anticipated.

THIS IS NOT A CHANGE ORDER, A CONSTRUCTION CHANGE DIRECTIVE OR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED IN THE PROPOSED MODIFICATIONS.

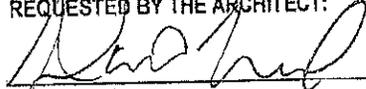
DESCRIPTION (Insert a written description of the Work):

Add gym wall safety pads in Multi-purpose room E207, refer to attached plan for locations as requested by Owner.

ATTACHMENTS (List attached documents that support description):

SKA-177

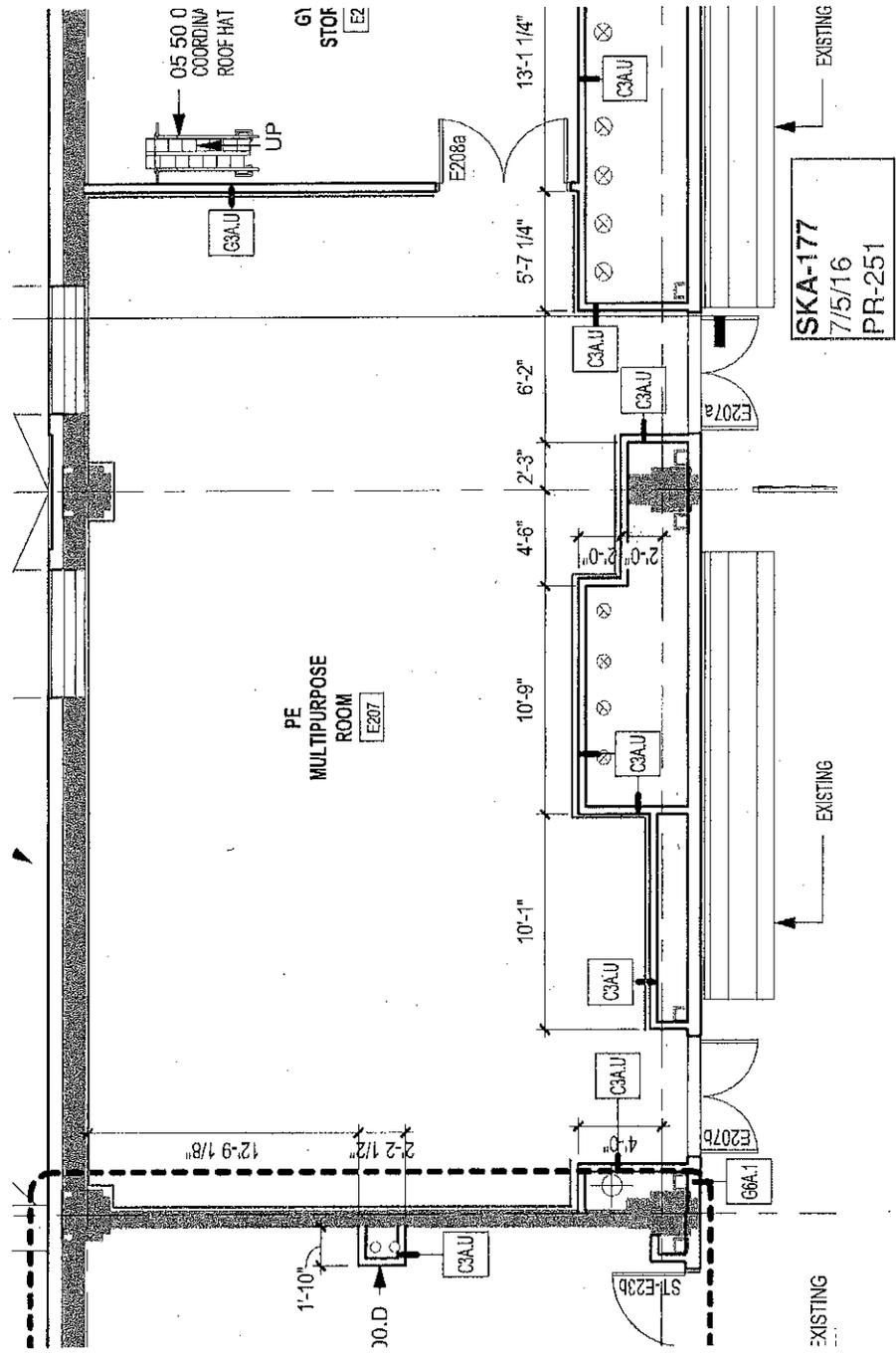
REQUESTED BY THE ARCHITECT:



(Signature)

David C. Fanuele, Project Architect

(Printed name and title)



Educational Facilities Planning and Building Committee Minutes of the Meeting July 25, 2016

Members Present: Don Cecich, Brendan Driscoll (by phone), Charles Tseckares, Judy Evans, Roger Hain (by phone), Susan Verdicchio and Todd Kosterman (by phone).

Members Absent: Bob Deering, Geethanjali Mathiyalakam, Shelly Walsh and Jessica Lohnes.

Others Present: Jim Burrows, Skanska USA Building.

Invoices: Copies of the Memorandum from Town Manager, Richard Howard, to the EFPBC dated July 20, 2016 regarding invoices and spending authorizations were distributed and reviewed (Attachment #1). The Town Manager recommended that the Committee take favorable action on the invoices and spending authorizations.

Jim Burrows reviewed the Payment Authorizations for the Vinson-Owen Elementary School project and the Winchester High School project.

Payment Authorizations:
VO Elementary School Project

Skanska USA	Invoice 1315839-000-12777-20	\$4,700.92
Tappé Architects	Invoice 160602	\$6,324.00
Classic Construction	Application #1	\$122,627.00

Payment Authorizations:
Winchester High School Project

Skanska USA	Invoice 1312805-PDS-12775-47	\$70,050.00
ENPRO	Invoice 216731	\$1,209.98
ENPRO	Invoice 216654	\$6,377.99
Green Energy Consultants, LCC	Invoice 1008-16	\$1,275.00
SMMA	Invoice 0045126	\$95,634.30
Consigli Construction, Inc.	Requisition #24	\$1,646,903.68
Eversource	Invoice	\$512.00

EFPBC July 25, 2016 Meeting Minutes

MBTA	Invoice 032432	\$250.00
Briggs Engineering	Invoice 83552	\$994.00
Briggs Engineering	Invoice 83805	\$452.00
Briggs Engineering	Invoice 83895	\$30.00
Briggs Engineering	Invoice 84132	\$40.00
Triumph Modular Inc.	Invoice 37364	\$13,000.00
Triumph Modular Inc.	Invoice 37306	\$10,000.00
WB Mason	Invoice Storage Fee	\$2,750.00
Boston Showcase	Invoice 397769-1	\$18,227.00
Life Fitness	Invoice 4996817	\$911.60
Life Fitness	Invoice 4995408	\$58.96
Life Fitness	Invoice 4989467	\$2,660.40
Creative Office Pavilion	Invoice	\$3,543.00
Creative Office Pavilion	Invoice	\$525.00
LCN	Invoice 24130	\$19,637.50
HUB Tech	Invoice 70547	\$22,808.50
Apple	Invoice 4388906748	\$92,456.64
Apple	Invoice 4388467307	\$42,883.34
Apple	Invoice 4388684896	\$7,288.32
Valley Communications	Invoice 637708	\$20,354.72
ProAv Systems	Invoice 24015	\$37,308.00

Spending Authorizations:
Winchester High School Project

WHS Tech FF&E Request	70 Chromebooks	\$16,000.00
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EFPBC July 25, 2016 Meeting Minutes

On a motion by Don Cecich, seconded by Charles Tseckares, it was moved and seconded to authorize the Town Manager to pay the Vinson-Owen and Winchester High School Invoices and to approve the Winchester High School Payment Authorizations as outlined in the memorandum from the Town Manager dated July 20, 2016 (Attachment #1). The vote was unanimously approved.

Respectively submitted,



Donald E. Cecich
EFPBC Secretary

Attachments:

1. Memorandum from Town Manager dated July 20, 2016 regarding Payment and Spending Authorizations.