

**TOWN OF WINCHESTER
BOARD OF SELECTMEN MEETING
Monday, March 21, 2016
Record**

Chairman Lance R. Grenzeback called the meeting to order at 6:30 PM in the Board of Selectmen Meeting Room, Town Hall. Present were Vice Chairman James A. Johnson, III, Selectman Stephen L. Powers, Selectman Michael Bettencourt and Selectman E. James Whitehead. Also present were Town Manager Richard C. Howard and Town Counsel Wade M. Welch.

OPENING

*Motion: That the Board of Selectmen adjourn to Executive Session for the purpose of discussing matters related to Contract Negotiations – Town Counsel MGL Ch. 30A §21(a)2; Contract Negotiations – Comptroller MGL Ch. 30A §21(a)2; Contract Negotiations – Winchester Hospital PILOT - MGL Ch. 30A §21(a)6; Contract Negotiations – Intermunicipal Agreement with Woburn - MGL Ch. 30A §21(a)6; Contract Negotiations – Eversource Intervener Litigation Consultant contract - MGL Ch. 30A §21(a)2; Litigation – Eversource Intervener Status - MGL Ch. 30A §21(a)3; Litigation – ZBA Decision - MGL Ch. 30A §21(a)3, as discussion in open session may have a detrimental effect on the Board’s litigating position, as so declared by the Chairman.

Whitehead – Bettencourt

By Roll Call vote: Whitehead, Bettencourt, Powers, Johnson, Grenzeback VOTED.

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

Whitehead – Powers

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

SELECTMEN’S NOTICES AND COMMENTS

Notification of Other Meetings and Hearings

- Tuesday, March 29, 2016 – Annual Town Election
- Wednesday, March 30, 2016 – Public Information Session re: Winning Farm – Vinson-Owen Elementary School – 7:00 PM
- Monday, April 4, 2016 – Board of Selectmen – Regular Session
- Monday, April 11, 2016 – Board of Selectmen – Regular Session
- Monday, April 25, 2016 – Board of Selectmen – Prior to Town Meeting

Comments from the Chairman

Selectmen’s Comments and Non-Docket Business

Selectman Whitehead noted that the Board’s tour of Winchester High School scheduled for earlier this evening was cancelled due to the snow event. The tour has been rescheduled for Monday evening, March 28th at 5:45 PM.

Selectman Powers noted the passing of former Winchester High School head football coach, Manny Marshall. He offered the Board’s condolences to the Marshall family.

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Selectman Powers noted that four Winchester Fire Fighters have retired recently. These individuals, along with Fire Fighters who have retired in the recent past, will be honored on April 2nd at a banquet being held at Woburn Country Club. Tickets are available for those who are interested.

Vice Chairman Johnson informed his colleagues that the Capital Planning Committee has submitted their warrant articles for consideration at the Spring 2016 Annual Town Meeting.

TOWN MANAGER REPORT AND COMMENTS

Appointments:

Town Manager informed the Board that he has appointed Gregory F. Quill, 4 Westley Street, Winchester as a Constable for the Town of Winchester. Mr. Quill's term will expire November 30, 2016.

Historical Commission – Reappointment:

Town Manager announced that in accordance with M.G.L. Chapter 40, Section 8D, he has made the following reappointment to the Winchester Historical Commission for a term to expire March 31, 2019:

Heather K. R. von Mering, 23 Loring Avenue, Winchester

Annual Staff Appointments:

Town Manager announced that in accordance with section 4-2b of the Town Charter and Chapter 5 of the Town of Winchester Code of By-Laws, he has made the following reappointments for a term to expire March 31, 2017:

Beth Rudolph, 33 Irving Street, Winchester – Town Engineer
Sheila Tracy, 87 Munroe Street, Somerville – Town Treasurer / Collector
MaryEllen Lannon, 40 Canal Street, Winchester – Town Clerk

Regular Appointment:

Town Manager announced that in accordance with section 4-2b of the Town Charter he has made the following regular appointment in the Engineering Office:

Suzanne M. Gill, 9 Squire Road, Winchester, MA 01890
Administrative Secretary II (S-27) – Engineering Department

Mrs. Gill replaces Joan Murphy who is retiring. The effective date of Mrs. Gill's appointment is April 4, 2016.

Eversource Update

Town Manager reported that staff continues to meet with the consultants relative to the 345kV Woburn to Wakefield Transmission Line about some of the testing that has to be done. He noted that there may be a need to dig some test pits for both lines. Work continues with Eversource, however at the same time, the Town is building a case for submission to the Siting Board as part of the 345kV Line Intervener status. He suggested that the Board consider holding a mini informational session for interested residents.

Web Page Update

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Town Manager noted that updating the Town's website is a part of the Board's work plan, and the website has now been modified to send out both Facebook and Twitter notifications. Alerts are sent to the user's webpage where there is more information available to them. Selectman Bettencourt pointed out that this is a small change and further testing is being done in order to provide better and more timely information to residents. Town Manager noted that Board of Selectmen meetings are an important source of information for residents, along with the local newspapers, both of which are doing a great job with communicating to residents. He pointed out that the *Boston Sunday Globe North* had extensive information about the efforts of Winchester's Historical Commission.

Chairman Grenzeback pointed out that the existing web page has a "notify me" button, where residents can sign up for important notifications. He noted that the Town Clerk is also trying to get Town Meeting Members more actively involved.

COMPTROLLER'S REPORT

Chairman Grenzeback noted that the Comptroller has provided a report for informational purposes; she will not be in attendance this evening.

HEARING

NStar d/b/a Eversource Energy – Grant of Location Petition:
Church Street – Southwesterly side at and southeast of Fletcher Street – remove
(1) Eversource pole 23/32; install (1) Eversource pole 23/32 – W.O. 1808318
Present: Jay Gill, DPW Director; Jackie Duffy, Eversource Community Relations

At 8:00 PM Chairman Grenzeback opened the hearing for the removal of one Eversource pole on Church Street and the installation of a new pole farther back from the curb area. Director Gill reported that this request was reviewed by the Engineering Department and the pole in question is being moved approximately ten (10) feet away from the street. He explained that this request pertains to the installation of a traffic signal at this location that is a part of the MassDOT Cambridge Street intersections project. Seeing no one in the audience wishing to comment, Chairman Grenzeback closed the hearing at 8:02 PM.

*Motion: That the Board of Selectmen approve the NStar d/b/a Eversource Energy Grant of Location Petition for Church Street – Southwesterly side at and southeast of Fletcher Street – removal of one Eversource pole 23/32 and install one Eversource pole 23/32 – W.O. 1808318 in accordance with the Town of Winchester Grant of Location Policy and the memorandum from the Town Engineer dated March 3, 2016.

Johnson – Powers

All in favor.

VOTED.

BUSINESS

Retirement Board – Reappointment – William Zink – Term to Expire: February 12, 2019

*Motion: That the Board of Selectmen reappoint William Zink to the Retirement Board for a term to expire February 12, 2019.

Johnson – Whitehead

All in favor.

VOTED.

Winchester High School Construction Update – Bob Deering, Chairman, EFPBC

Bob Deering, Chairman of the Educational Facilities Planning and Building Committee (EFPBC) provided an update for the Board on the status of construction at Winchester High School. He noted

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that Spring Town Meeting will be held in the newly improved auditorium, a big factor relating to the fact that presentations will not have to stop because of the trains traveling through. He reported that overall, the project is moving along and is on schedule and under budget. The HVAC unit placement on the roof of the building is being done this month. Work will start on the exterior of the building this coming Spring. Phase II should be completed and Phase III started in June. Work on Building "C", the first academic building is moving along and landscapers are coming onto the site to clean up the different construction areas. This landscaping was a part of the original construction plan.

Mr. Deering continued by saying that the "A" and "B" wings will be moved to portable classrooms during the summer for use when school begins in September. Some work related to this will be done over April vacation. He informed the Board that costs are under control, but there have been some unforeseen change requests. Mr. Deering noted that the other big part of Phase III is the Skillings Road culvert project which will start in April, and which will be coordinated with the Town. He indicated that this should go smoothly because the project has been well-vetted. Selectman Powers pointed out that the baseball field will not be renovated until 2017. Mr. Deering explained that a growing season is necessary so the field won't be available for use until 2018.

Selectman Whitehead informed his colleagues that he has heard comments that the nurse's office does not have adequate facilities for isolating students who are ill, that is, the space does not provide for individual isolated beds. Mr. Deering responded that this has not been brought to the EFPBC as an issue requiring resolution. He indicated that he will check into this and report back to the Board.

Lastly, Mr. Deering informed the Board that parking is the biggest issue related to the project as it goes forward. He explained that when the portable classrooms are installed, there will be an even bigger issue because where staff is now parking will be a construction area requiring the parking to shift. Chairman Grenzeback reported that the Board has been urging the School Committee to look at a parking policy. While not the responsibility of the EFPBC, it would be a good thing if the EFPBC could encourage the School Committee to look at this.

Town Manager noted that the culvert and field remediation projects are going well, and culvert installation should begin in an April/May timeframe. He informed the Board that a look has to be taken at the High School's electrical usage because there will be double the amount of modular classrooms located on the site, all of which are heated electrically. Mr. Deering noted that a state-of-the-art HVAC system will be installed at the High School. He noted that within the current DPW staff there is not sufficient manpower for maintenance of this type of system, so some thought should be given to supplementing the DPW's manpower. He noted that the old system was a motor / fan belt operation however the new systems are complicated. Town Manager suggested that there may be the need for a Plant Manager designation to run the new facility once it is turned over to the Town.

As far as the overall budget is concerned, Mr. Deering informed the Board that it is anticipated that the project will not go over budget. He explained that a sub-committee reviews all change requests, and if all of the changes that have been processed are combined with those that are anticipated, there appears to be \$1million remaining in the construction contingency. He indicated that he will meet with the Board again in June, once Phase III is underway.

Green Communities Grant Approval – Susan McPhee, Energy Coordinator
Energy Management Committee members Karl Rexer and Todd Kosterman

Ms. McPhee informed the Board that the Energy Management Committee voted to endorse the following projects:

- Exterior lighting and parking lot lighting switch to LED's at Ambrose, McCall and Lynch;

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- Parkhurst HVAC improvements that include steam trap repair, boiler controls, radiator valves and pneumatic repairs and installation of ductless splits (air source heat / cool pumps) in the offices to replace window unit air conditioners;
- Steam trap repair at the Mystic / Recreation Department;
- Town Hall air sealing and damper controls in the auditorium space above the stage;
- McCall walk in freezer controls / improvements;
- McCall interior lighting, switch to LED, phase 1 of 3.

When combined, these projects represent an annual savings of \$49,000 in energy costs for both natural gas and electricity. The value of the work to be done is \$315,500 and the request from Green Communities is \$250,000, \$79,000 from the respective utilities and \$15,000 from the Town of Winchester (FY2017 Facilities Budget). Ms. McPhee indicated that this has a long payback but it does show that the Town is putting up some money.

Selectman Whitehead questioned why the Town continues to operate the Parkhurst School building, which is very inefficient. Town manager indicated that the building is a part of a study but in the meantime, maintenance is required.

*Motion: That the Board of Selectmen approve the Green Communities Grant submission as outlined.

Johnson – Bettencourt

All in favor.

VOTED.

Lastly, Ms. McPhee reported that the Winchester Saves Program is off to a good start.

Water Bill Discussion – 4 Bigelow Avenue

Town Manager recalled that this issue was before the Board previously, however at that time, the second quarter billing information was not provided. Vice Chairman Johnson requested a recommendation from the Town Manager. Town Manager informed the Board that he would recommend any one of the three staff recommendations, requesting that the Board adhere to one recommendation only. He noted that if the Board is inclined to treat the second quarter bill in the same manner as the first bill, it would take the adjustment above the Town Manager's \$2,000 limit.

Mr. Begen, the owner of 4 Bigelow, informed the Board that he would not seek relief again. Upon noting that the first recommendation provides the most relief, Selectman Powers noted that this is an unfortunate happening

*Motion: That the Board of Selectmen approve the one time adjustment to the water / sewer bill for 4 Bigelow Avenue as outlined in Option #1 provided by staff that adjusts the second and third tier units to the first tier rate.

Powers – Bettencourt

All in favor.

VOTED.

Chairman Grenzeback pointed out that this reduces Mr. Begen's invoice from approximately \$7,000 to about \$1700 in total. The unadjusted balance will be spread out over all of the other water / sewer users.

Sachem Youth Baseball / Softball – Extension of time on West Side Field

Present: Rich Michienzi, President, SYBS, Kevin Murray, Ex. Vice President, SYBS

Mr. Michienzi came forward requesting a modification of SYBS' current use of the field and lights at West Side Field. He recalled that as a part of a decision made by the Board of Selectmen on December 20, 1999, SYBS has been allowed to use the lights from May 10th to August 31st. The request this

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evening is to allow the light usage to begin on April 18th. Mr. Michienzi explained that SYBS will not have access to the lighted field until 6:30 PM when the High School softball team has completed their practice / game. He explained that as a result, the SYBS teams would only complete two or three innings of a game before it becomes too dark to continue, especially in early Spring. By extending the use of the lights, SYBS teams would be able to play until the game is completed. It is anticipated that games would be concluded by 9:00 PM.

Mr. Michienzi informed the Board that once Skillings Field is back on line, SYBS will be able to return to the prior use schedule. He noted that if the SYBS teams can get on the field no later than 6:30 PM they should be off the field by 9:00 PM.

Selectman Powers noted that he had attended a meeting of the Field Management Committee at which time this request was discussed. He noted that Skillings will be off-line for a time, making this request necessary, however the time extension is a temporary situation until Skillings Field is playable again. The Board was informed that all maintenance and lighting costs at West Side Field are borne by Sachem Youth Baseball.

Although not a public hearing, Chairman Grenzeback did accept public comment. Rob Moran, 103 Wildwood Street informed the Board that he lives approximately 500 ft. away from the Nutile Field diamond. He also noted that he understands the need for this extension. Mr. Moran requested that the extension be limited to one or two years to see how it affects the neighborhood. He noted that while the lights should be off by 10 PM, it is more common that they are on until 10:30 PM and on at least one occasion, were left on overnight. Mr. Moran indicated that more than likely, the lights are on until all vehicles exit from the field.

Rich Michienzi of Sachem Youth Baseball informed the Board that this is the first that he is hearing of this situation, indicating that more than likely, the lights were left on due to carelessness. Mr. Moran indicated that he feels that the lights are routinely left on until 11 PM during the playing season.

Selectman Powers asked if SYBS would be willing to install a timer on the lights so that they would turn off automatically at 10 PM. Selectman Bettencourt expressed some concern about the safety of the field users if the lights just went off automatically. Chairman Grenzeback indicated that technology is available where the lights could go dim and then dimmer before total blackness.

Mr. Michienzi noted that there is a problem with brush blocking lights that illuminate the parking lot. He asked if it would be possible to have the DPW trim the brush back, which would eliminate people walking to their vehicles in the darkness.

*Motion:	That the Board of Selectmen approve the Sachem Youth Baseball Softball Association request to extend the playing season to begin on April 18, 2016; additionally, to require that a timer be installed on the field lights for lights to be out at 10 PM. Further, that this approval be reviewed again at the conclusion of the 2016 youth baseball season.
Johnson – Bettencourt	All in favor. VOTED.

Town Center Business District Residential Parking Restrictions – VOTE to Approve

Town Manager noted that the Board had received a DRAFT proposal for regulations to be applied to parking spaces that would be opened up to Town Center residents.

- On March 7, 2016, the Winchester Board of Selectmen voted to issue up to 25 free* parking permits to residents of the Winchester Center Business District (CBD), see map, who do not have off-street parking. The goal of the program is to support transit-oriented development in the Town Center.

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- This program will be implemented on a trial basis for the annual permit cycle from July 1, 2016 through June 30, 2017.
- Permits may be obtained at the Engineering Department, Lower Level, Town Hall.
- Permits will be issued on a first come, first served basis. Only one permit per housing unit will be issued. If the 25 permits are exceeded, other residents of the CBD may purchase permits for \$125 per quarter.
- The Town does not guarantee available space at any time. Misuse of permit is subject to a fine and loss of permit. Vehicles must be relocated from parking spots every 48 hours.
- In addition to this application, residents must present a valid Massachusetts registration showing that the vehicle in question is registered in the CBD. Residents must also present proof that no off-street parking is available for your house or units, such as a letter from the landlord.
- The CBD Resident Parking Permit is valid for overnight parking only in the following locations in accordance with posted signage: Lower Aberjona Lot, Waterfield Lot, Jenks Lot, Shore Road Lot, Public Safety Lot, and Upper Main Street area. Overnight parking is allowed only in the lots.
- Please note that beginning July 1, 2016 all non-commuter permits shall be subject to a \$10.00 administration fee.

Town Manager indicated that if it is determined that there is a larger application pool, the Board can decide on the number of additional permits that could be issued. He indicated that a lottery selection process might be necessary.

In response to the suggestion that the permit be issued to the landlord rather than the tenant, Vice Chairman Johnson pointed out that it would be the resident's vehicle who would be ticketed, not the landlord. He suggested that the permit be valid only while the individual is a resident of the CBD. Chairman Grenzeback agreed that it makes sense that the permit coincide with the vehicle.

*Motion: That the Board of Selectmen approved the draft CBD Parking Regulations for the period from July 1, 2016 through June 30, 2017 with the addition of the verbiage that the permit is valid only while the permit holder is a resident of the CBD.

Johnson – Powers

All in favor.

VOTED.

Town Counsel Reappointment – Wade M. Welch, Esquire

Chairman Grenzeback reported that he has reviewed the individual Board members comments with Town Counsel who is performing quite satisfactorily. He noted that Counsel has requested that his contract be approved through December 31, 2016 and will be available in an “of counsel” capacity after that date.

Town Counsel recalled that he began talking about a transition in 2013. His plan is to step aside as Town Counsel but will not retire totally from the practice of law. He explained that he is comfortable with his decision because the Board has Richard Howard as Town Manager, someone with whom he has enjoyed working.

Town Counsel outlined the 2015 accomplishments of this sitting Board:

- Wright-Locke Farm sale to the Wright Locke Land Trust, recovering a substantial portion of the original purchase price;
- Passage of an override for the Skillings Road culvert and environmental remediation, along with the associated savings through a coordinated effort with the EFPBC and the Winchester High School project;
- The Appeals Court upheld the jurisdiction of the Conservation Commission over those lands subject to flooding, providing another tool for the ConCom;

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- The Town's Legal Budget closed consistent with budgets in the immediate post years;
- After December 31st, Town Counsel will still be working on the 345kV Transmission Line appeal with the suggestion for alternative routes and use of a different technology;
- Possible resolution of the Winning Farm land use proposal;
- Cambridge Street Winchester North 40B Proposal;

Chairman Grenzeback informed the Board that he and Town Counsel spent time discussing various avenues for going forward.

*Motion: That the Board of Selectmen approve the Legal Services Agreement with Wade M. Welch, Town Counsel, for a term to expire December 31, 2016, with gratitude.

Johnson – Bettencourt

All in favor.

VOTED.

Town Comptroller Reappointment – Stacie A. Ward, CPA

Chairman Grenzeback suggested that the Board table discussion on this contract until their meeting on March 30, 2016 at 6:00 PM prior to the Winning Farm Informational Session at Vinson-Owen School.

*Motion: That the Board of Selectmen table discussion on the Comptroller's contract.

Whitehead – Powers

All in favor.

VOTED.

Non-Docket Business from the Selectmen

*Motion: That the Board of Selectmen suspend their Rules and Regulations in order to discuss a contract with the Eversource consultants.

Whitehead – Powers

All in favor.

VOTED.

*Motion: That the Board of Selectmen approve the following sources for funding in the Eversource matter consultant contracts: Agawam Road Gift Account, the Hospital Gift Account and the Town Manager's Professional Services line item account.

Johnson – Whitehead

All in favor.

VOTED.

*Motion: That the Board of Selectmen approve an increase in the amount to be expended for consulting fees for the EMF consultant's contract for an amount up to \$15,000.

Johnson – Whitehead

All in favor.

VOTED.

CONSENT AGENDA/SUPPLEMENTAL CONSENT AGENDA

One Day Alcoholic Beverage Licenses:

Gail Freeman for Studio on the Common – Tuesday, March 22, 2016 – Studio on the Common;

Boston's Best Bartending – Saturday, April 9, 2016 – Sanborn House;

Boston's Best Bartending – Saturday, April 2, 2016 – Sanborn House;

Louise Cocuzzo for St. Eulalia Church – Sat., April 23, 2016 – Parish Banquet – Manion Hall

Acceptance of Donation to DPW:

Chamber of Commerce in the amount of \$9948.88 for watering of hanging flower baskets;

Approve / Correct Meeting

Monday, March 7, 2016;

Wednesday, February 24, 2016;

Friday, February 5, 2016

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Approval of Autism Awareness activities:

1.)blue filters in the street lights around Town Common; 2.) blue filters in Town Hall spotlights; 3.) approval for use of the Town Common on Thursday, April 7th to recognize the start of Autism Awareness Month

*Motion: That the Board of Selectmen approve the Consent Agenda and Supplemental Consent Agenda for Monday, March 21, 2016 that includes One Day Alcoholic Beverage Licenses for March 22nd, April 9th April 2nd, and April 23rd; acceptance of a donation to the DPW in the amount of \$9948.88 for the watering of hanging flower baskets; approval of Meeting Minutes for Monday, March 7th, Wednesday, February 24th and Friday, February 5th, 2016; approval of the Autism Awareness activities for the month of April, 2016 in the Town Center and Town Common.

Johnson – Whitehead

All in favor.

VOTED.

Town Manager – Additional Comments

Town Manager informed the Board about an incident at Wright Locke Farm where a youngster was bitten by a rabid raccoon. The animal was dispatched, tested and found to be rabid. He noted that this was a traumatic experience for the child.

COMMUNICATIONS AND WORKING GROUP REPORTS

1. Carol Wilkinson, Charles Road re: Eversource 345kV transmission line
2. FIOS billing practices notifications (Channel Lineup Document in RED BOOK)

Adjournment – 9:35 PM

*Motion: That the Board of Selectmen adjourn for the evening.

Johnson – Bettencourt

By Roll Call Vote: Whitehead, Bettencourt, Powers, Johnson, Grenzeback

VOTED.

Respectfully submitted,

Richard C. Howard, Town Manager