

TOWN OF WINCHESTER
BOARD OF SELECTMEN MEETING
Monday, April 4, 2016
Record

Outgoing Chairman Lance R. Grenzeback called the meeting to order at 7:30 PM in the Board of Selectmen Meeting Room located in Town Hall. Present were Selectman Stephen L. Powers, Selectman Michael Bettencourt, Selectman E. James Whitehead and newly elected Selectman David P. Errico. Also present was Town Manager Richard C. Howard.

OPENING

Notification of Other Meetings and Hearings

- ∫ Monday, April 11, 2016 – Board of Selectmen – Regular Session
- ∫ Tuesday, April 12, 2016 – Planning Board Hearing re: Winning Farm
- ∫ Monday, April 25, 2016 – Board of Selectmen – Prior to Town Meeting – Winchester High School Guidance Conference Room
- ∫ Thursday, April 28, 2016 – Board of Selectmen – Prior to Town Meeting – Winchester High School Guidance Conference Room

Chairman's Comments

Outgoing Chairman Grenzeback informed the audience that the Executive Session discussion this evening would be held at the conclusion of the regular business meeting. He asked that Town Manager Howard take over the duties of the Chair to allow the Board of Selectmen to reorganize after the Town Election last week.

Town Manager called for nominations for Chairman for the 2016/17 Semester of the Board.

*Nomination: That Lance R. Grenzeback be nominated to serve as Chairman of the Board of Selectmen for the full 2016/17 term.
Whitehead – Bettencourt

*Nomination: That the 2016/17 Board of Selectmen chairmanship be split, six (6) months for Lance R. Grenzeback beginning April 4, 2016 through October 2, 2016; and that Stephen L. Powers be chairman for the period of October 3, 2016 through March 31, 2017.

Errico – Powers

In favor: Errico, Powers

Opposed: Whitehead, Bettencourt, Grenzeback

MOTION FAILED.

*On the Grenzeback nomination to serve as Chairman for a full term:

In favor: Errico, Whitehead, Bettencourt, Grenzeback

Opposed: Powers

VOTED.

Town Manager called for nominations for Vice Chairman for the 2016/17 Semester of the Board:

*Nomination: That E. James Whitehead be nominated to serve as Vice Chairman from this date through March 31, 2017.
Grenzeback – Bettencourt

*Nomination: That Stephen L. Powers be nominated to serve as Vice Chairman

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from this date through March 31, 2017.

Errico – Powers

*On the Whitehead Nomination:

In favor: Whitehead, Bettencourt, Grenzeback

Opposed: Errico, Powers

VOTED.

Chairman's Comments

Chairman Grenzeback congratulated newly elected Selectman David Errico and thanked all who participated in the Annual Town Election.

Selectman Powers thanked former Vice Chairman Jim Johnson for his service to the community over the last eighteen years. He noted that Jim will still be doing some committee work.

Vice Chairman Whitehead reminded his colleagues to view the conflict of interest video that can be found on the Attorney General's website.

TOWN MANAGER REPORT AND COMMENTS

Appointment: Historical Commission

Town Manager noted that in accordance with M.G.L. Chapter 40, Section 8D, he has made the following appointment to the Historical Commission:

Janet Boswell, 7 Summit Avenue, Winchester

Term to Expire: March 31, 2019

Appointment: Council on Aging Administrator

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

B. Phillip Beltz, 50 Lewis Street, Boston, MA

Town Manager informed the Board that several individuals were involved in the search for the new Council on Aging Administrator, the successor to Ruth Young. He explained that after several unsuccessful advertising attempts, B. Phillip Beltz is being recommended for appointment. Mr. Beltz will be joining the Town later this month. Town Manager noted that during the search process there was some discussion about a new structural model for the Council on Aging, and with a new administrator, there is an opportunity to consider this. He noted that Mr. Beltz's employment dovetails with the recommissioning of the renovated building.

Phillip Beltz informed the Board that he has previously worked in Long Island, NY, a town by the name of Southold, a community similar in size to Winchester, but having the largest senior population in the state of New York. Mr. Beltz noted that he has been involved in both strategic and community planning. His hope is to produce changes that will benefit the Town.

Terry Fuller, Chairman of the Council on Aging, informed the Board that the Jenks Center is excited to bring Mr. Beltz on as a member of their staff as he brings a great deal to the table. He indicated that Mr. Beltz will be starting his employment on April 19th. Mr. Fuller commended Human Resources Director Anne Graglia-Kostos for all of the time and effort she spent on this task.

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Vice Chairman Whitehead commented that Mr. Beltz has big shoes to fill. Selectman Powers offered congratulations to Ruth Young for her years of service to the Town. He noted that the senior population in Winchester is approximately 38%. Chairman Grenzeback pointed out that the Jenks Senior Center is a huge resource for the town and they are pro-active in expanding the programs offered.

Eversource Update

Town Manager reported that staff continues to meet with the neighbors and consultants, particularly with regard to the 345kV transmission line, Wakefield to Woburn. The neighbors have been updated on the Town's efforts to bring consultants on board and the legal team's filing for intervener status for relocation of these lines to the alternate route, or installed in a safe and productive manner with as little disruption to the community as possible. He explained that the first piece of the intervener information goes to the Siting Board on April 14th.

As far as the consultants meeting with the Board, Town Manager indicated that this would be done only with guidance from the legal team. In addition to the services of the two consultants, Mr. Hayes and Ms. Ohanesian, staff is proposing to retain the services of a testing lab to model the information being put out by Eversource, taking measurements of similar lines. Town Manager indicated that this request will be before the Board next week.

Chairman Grenzeback explained that it was assumed that the Eversource 'rankings' were filed with the Siting Board, however when reviewed, the rankings were not there. He indicated that the Board may have a public presentation of the general findings, and neighbors have been promised an update of where things are. He informed his colleagues that the consultants are impressive.

As far as the communication vehicle with the neighborhood is concerned, Town Manager explained that he usually contacts Mrs. Melkonian who brings the other neighbors to the table. She and her husband are the main points of contact.

Chairman Grenzeback indicated that when the results are available they will be published and another mailing will likely be done when more substantive information is available.

Waterfield Lot RFP

Town Manager reported that staff has taken a step back on this issue because the Board has been concerned about the loss of parking if the site is sold for development, leading to the conclusion that additional parking must be found. Funds are being requested at Town Meeting to bring on a consultant for this purpose, which will guide the speed of work on the RFP.

Selectman Errico pointed out that consultants are good but they do cost money. He noted that Winchester has some of the best and brightest living here, which would save money through putting forward their ideas. He suggested that consultants only look at the big picture.

Town Manager indicated that the consultants would do some field work to learn whether a structure could be situated on this site or not. He agreed that the Board could also draw upon the wealth of talent living in Winchester to help with exploring resources.

HEARING

Grant of Location: Petition of John Moriarty and Associates
for telecommunications conduit location in Town Property located on
Park Street: Install 90 LF of (2) – 2 inch conduits from the rear side of

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#3 Church Street, which faces Park Street, to #18-#20 Park Street
Present: Town Engineer Beth Rudolph; Finn O’Sullivan, Project Manager,
John Moriarty and Associates

At 8:00 PM Chairman Grenzeback opened the Grant of Location Hearing for the telecommunications conduit to be located in Town Property, Park Street. Town Engineer explained that a building located on Park Street is being renovated and the owner is looking to connect to the other buildings that he owns. She reported that she has reviewed the plans and Engineering staff has no concerns. As far as the length of time for this construction, Mr. O’Sullivan informed the Board that weather permitting, construction would take about one week. Town Engineer recommended the Board’s approval of this request. Seeing no one in the audience wishing to comment, Chairman Grenzeback closed the hearing at 8:05 PM.

*Motion: That the Board of Selectmen approve the Grant of Location Petition made by John Moriarty and Associates for telecommunications conduit to be located in Town Property, Park Street: installation of 90 LF of (2) – inch conduits from the rear side of #3 Church Street, which faces Park Street, to #18-20 Park Street, in accordance with the Town of Winchester Grant of Location Policy and the memorandum from the Town Engineer dated March 7, 2016.

Whitehead – Bettencourt

All in favor.

VOTED.

BUSINESS

Council on Aging: Interview/Appointment: Thomas R. Howley–Term to Expire: 3/31/2019

Mr. Howley informed the Board that he was motivated by the notion to continue to strengthen the Town, and the possibility that he might add some value to the Council on Aging. He is particularly interested in issues of financial pressure being felt by seniors living in Town, particularly as the real estate taxes increase. He is also interested in enhancing the coordination and communication between service providers. Mr. Howley noted that this might provide an opportunity to develop a new working model for services provided to the senior population, as a lot of great things are happening at the Jenks Center. Terry Fuller, Chairman of the Council on Aging noted that the senior population is increasing, yet many are being lost to the Town because of the income issue. He indicated that the new Council on Aging Administrator has an interest in writing grants to provide services to the senior population.

*Motion: That the Board of Selectmen appoint Thomas R. Howley to the Council on Aging for a term to expire March 31, 2019.

Whitehead – Powers

All in favor.

VOTED.

Referencing former Selectman Jim Johnson’s request for reappointment as the Board’s citizen representative to the Capital Planning Committee, Chairman Grenzeback explained that Town Counsel has suggested that this be deferred for a thirty day period.

Davidson Park Presentation – Town Engineer Beth Rudolph

Town Engineer Beth Rudolph provided a history of Davidson Park which is located along the Aberjona River; work on this park was completed in the early 1930’s. Dredging of the Aberjona River in Davidson Park, along with other improvements, was completed in the late 1960’s.

Davidson Park is a 9.6 acre passive recreation area with a diverse habitat and wildlife environment. The Tri-Community bikeway will reconstruct the existing Bi-Centennial Bikeway through the park, with a new crosswalk and improved traffic control at Cross Street. The Pond is increasingly

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compromised by sediment accumulation and invasive species, leading to impaired water quality, increased water temperatures, and adverse impacts on wildlife habitat.

Restoration Project

An RFP was issued in 2013 with Horsley Witten selected as the design consultant & Davidson Park Working Group established. The scope of work is as follows:

- Existing Conditions Plan (survey) and Wetlands Delineation;
- Habitat and Invasive Species Characterization;
- Screening-level Sediment Quality Sampling and characterization;
- Preliminary Engineering (10% and 30% design alternatives)
- Public Meeting and Stakeholder Outreach

30% Design Alternative – Option 1 – Open Water

Maintains existing character and restores the pond to a state similar to that of the 1930's-era conditions. The work for this option includes the dredging of the accumulated sediments; construction of a new main pond and smaller upstream pond for long-term sediment maintenance; restoration of riverbank and buffer habitat. This alternative would result in approximately 65,000 square feet of open water versus 28,000 square feet currently present, or a 43% increase.

30% Design Alternative – Option 3 – Hybrid Option

Town Engineer explained that this is a hybrid solution that includes construction of a new “off-line” pond and restoration of a more natural riverine environment. The work for this option includes the dredging of some accumulated sediments, construction of a partially restored river channel through a portion of the existing pond area, and construction of an off-line pond to maintain some of the park's existing open water character. This alternative would result in approximately 25,000 square feet of open water versus 28,000 square feet that is currently present.

Option #1 and #3 Pros and Cons

Option #1:

- Maintains historical landscape design and provides aesthetic appeal that is familiar to residents;
- Requires significant dredging and off-site disposal of sediments;
- Requires substantial long-term maintenance to prevent sedimentation.

Option #3:

- Improves conveyance of sediments through the park;
- Alters look and feel of the historic, 1930's-era landscape design and pond;
- Provides a more engineered solution (diversion from “river” to “pond”);
- Results in change to historic (since 1930's) wildlife habitat.

Town Engineer informed the Board that there will be a public informational meeting on Wednesday, April 13, at 7:00 PM in the Board of Selectmen chamber, Town Hall. She noted that the working group is looking to do more work on the habitat assessment and pointed out that there is a request for \$2500 in additional funds to help evaluate these two proposals. Town Manager informed the Board that management proposes to find this \$2500 in the professional services line items.

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Selectman Errico questioned whether the Option #3 reduction is due to reconfiguration. Town Engineer explained that the pond is smaller and the river, larger in this option. She noted that the regulations for the disposal of sediment are different today than in the 1960's. She indicated that the preliminary estimate is that these projects will cost between \$2million and \$2.5million.

Selectman Powers informed his colleagues that he recalls past dredging activity where the sediment was taken to the Cemetery. Vice Chairman Whitehead noted that the last dredging activity was done just prior to the passage of the act in the 1960's. He indicated that these are tannery wastes. Town Engineer informed the Board that there are higher levels of contamination in the banks of the river than in the island located in the center.

As far as maintenance planning and costs, Town Engineer explained that Option #1 has a higher maintenance cost and no generic dredging plan has been developed. Vice Chairman Whitehead indicated that this would require Army Corps of Engineer permits, not just Conservation Commission permits. He indicated that a vacuum truck could suck-up sediment when necessary.

Chairman Grenzeback question whether the money to improve the Aberjona waterway is applicable to this project. Vice Chairman Whitehead indicated that it could be because it would improve the habitat. Lastly, Chairman Grenzeback raised the issue of the impact on the property values and recreation value of the area and was informed by Town Engineer that this feedback will be obtained from the April 13th meeting. She explained that after this meeting, staff will meet to bring a recommendation to the Board. She pointed out that there is no funding to go further but the goal is to have a package ready if grant funds become available.

Town Manager noted the request for an additional \$2500 to complete the habitat study. He explained that the Board could reserve these funds which would allow the committee to move forward. Vice chairman Whitehead noted that there is a citizen who has been accumulating habitat data for years that would assist the consultant.

*Motion: That the Board of Selectmen authorize the Town Manager to expend
 \$2500 in professional service funds for the completion of the habitat
 analysis of Davidson Park.

Whitehead – Bettencourt

All in favor.

VOTED.

Town Manager noted that Davidson Park, although not at the top of the list, is a preferred Eversource transmission line in one iteration. The potential route follows the bike path out to Washington Street. Town Engineer noted that the preferred alternative has two jacking pits here.

Winning Farm

Chairman Grenzeback noted that there is no formal action for the Board this evening, however part of the question is whether to move forward and take this issue to Town Meeting. The other issue relates to how the affordable housing matter will be resolved. Town Manager reported that appraisal work is underway and a partial report is expected later this month.

Selectman Errico commented that he felt the informational session was very informative. He indicated that he would like to be more comfortable with Chapter 30B and the legality of moving forward without an RFP. He informed his colleagues that he did talk with Attorney Bobrowski and requested that this issue be flushed out sooner than later. He suggested that a discounted cash flow analysis be done as he wants to be sure that this can be done and is not a waste of time. Vice Chairman Whitehead suggested that information be obtained from Town Counsel or Land Use Counsel. Town Manager indicated that his hope is to have the second appraisal at the very least partially completed prior to Town Meeting.

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In response to Selectman Errico's suggestion that a letter be sent to the Attorney General, Chairman Grenzeback explained that the Board first has to execute and then the Attorney General will indicate whether the Bonvie proposal can be done or not. He noted that Winning Farm has been sold to Salter Healthcare LLC, so Chapter 30B does not apply.

Town Manager noted that the peer reviewer will use another methodology for his appraisal with a full-blown appraisal document available sometime in May. An executive summary of the second appraisal methodology will be available.

Chairman Grenzeback recalled that in the past, the Board's objective was to increase the Town's affordable housing inventory, which will not be the case with this proposal. Selectman Powers noted that the numbers were generally favorable for this type of development and Mr. Salter cannot put a 40B at this location while in this agreement. He also suggested a review of the financials and legal aspects of the Bonvie proposal. Selectman Powers explained that the appraisal will indicate what this parcel is worth.

Selectman Bettencourt noted that from what he was able to gather from those who spoke at the informational session there is cautious optimism, but there are still a lot of moving parts. He noted that there seems to be coalescence around this project as this land has not been performing for the Town in over a decade. He informed his colleagues that he feels that hiring a consultant is a worthwhile effort.

Separation Agreement – Chief of Police – VOTE to Approve

Town Manager explained that the proposed agreement covers a variety of things that are typical for a retiring Chief of Police. The document has been reviewed and recommended by Counsel. Selectman Errico asked about the process for replacing the retiring Chief.

Town Manager recalled that Chief Albertelli's service was extended through a Special Act of the Legislature that allowed his service beyond age sixty-five. He noted that an assessment center is being put in place and individual candidates will be interviewed and graded on their performance. The assessment process will be held over the next few weeks. It is a fairly standard practice for high-level departmental promotions. Town Manager recalled that the historical process utilizes the Civil Service examination and selection of the candidate with the highest grade. In the assessment center process, candidates are presented with various scenarios.

As far as a timeline for this process, Town Manager explained that the assessment will be concluded by early May and the result will be an appointment announcement at the first or second meeting in May. Chief Albertelli will be available during the transition and there will be a period of time with both the new Chief and retiring Chief on duty. After the beginning of the new fiscal year Chief Albertelli will be available in an "on-call" capacity.

Chairman Grenzeback pointed out that this document essentially provides legal coverage to the Chief.

*Motion: That the Board of Selectmen approve the *Retirement and Cooperation Agreement* with retiring Chief of Police Kenneth C. Albertelli, for the period beginning June 1, 2016 through June 30, 2017, thereafter renewed as needed.

Whitehead – Bettencourt

All in favor.

VOTED.

Comptroller's Contract Approval and Reappointment

Chairman Grenzeback indicated that this item would be tabled for further discussion at a subsequent meeting.

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Intermunicipal Agreement with City of Woburn: Vote to Approve and Sign

Town Manager informed the Board that this relates to a flood mitigation project that is outside of the Town's boundaries, Scalley Dam in Woburn. This project is now ready to be put out for an RFP. An Intermunicipal Agreement acknowledges the cooperation between the two municipalities and allows contract work to be done. Town Manager explained that the Town of Winchester will be paying for this work with the proceeds from the Commonwealth of Massachusetts Environmental Bond Bill; the City of Woburn has no responsibility for payment. He pointed out that this is one of several projects that are permitted and will provide relief at the spillway. He noted that future flood events will require cooperation with the City of Woburn in severe storm events. Vice Chairman Whitehead noted that the intent at Scalley Dam is to install a second new sluice gate.

*Motion: That the Board of Selectmen approve and sign the Intermunicipal Agreement with the City of Woburn.
Whitehead – Bettencourt All in favor. VOTED.

Zoning Board of Appeal Reappointment: Lawrence Beals – Term to Expire: March 31, 2019

Mr. Beals informed the Board that his background is in land planning and engineering. The Zoning Board of Appeal also has two architects and two lawyers as members, all with a diverse skill set. He recalled that the first issue that he faced was the CVS project on Washington Street, a project that started out rough, but through a lot of effort, the project complies with all rules and regulations. The next issue that he faced was the Winchester Country Club expansion, something that started out as being difficult but the end result was a pretty good product. The most recent issue facing the ZBA was the Grove Street demolition proposal, where ultimately the developer came up with a solution to preserve the structure. The 416 Cambridge Street 40B Proposal is still ongoing. Board members thanked Mr. Beals for the work that the ZBA does and Chairman Grenzeback encouraged the ZBA to work with the Planning Board to update the Town's zoning bylaws.

*Motion: That the Board of Selectmen reappoint Lawrence Beals to the Zoning Board of Appeals as a regular member for a term to expire March 31, 2019.
Whitehead – Bettencourt All in favor. VOTED.

CONSENT AGENDA

One Day Alcoholic Beverage Licenses:
Robert Deering – April 17, 2016 – Sanborn House – Bridal Shower;
Boston's Best Bartending – May 21, 2016 – Sanborn House;
Road Race:
Glen Doherty Memorial Foundation – September 25, 2016;
Acceptance of Bequest:
Wildwood Cemetery from DiNapoli Estate;
Acceptance of Donation:
Winchester Rotary Club to Recreation Department – Summer 2016
Concerts on the Common
Approve / Correct Meeting Minutes:
Monday, March 21, 2016

*Motion: That the Board of Selectmen approve the Consent Agenda for Monday, April 4, 2016 that includes One Day Alcoholic Beverage Licenses for the Sanborn House on April 17, 2016 and May 21, 2016; the Glen Doherty Memorial foundation Road Race on September 25, 2016; acceptance of a

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bequest for Wildwood Cemetery from the DeNapoli Estate; acceptance
of a donation to the Recreation Department from the Winchester Rotary
Club for the 2016 Concerts on the Common series; and approval of the
Board of Selectmen Meeting Minutes for Monday, March 21, 2016 as written.

Whitehead – Powers

All in favor.

VOTED.

Selectmen’s Comments and Non-Docket Business

Chairman Grenzeback suggested that the Board have a work session to discuss the Waterfield RFP. He also suggested that Board members consider a convenient time for a general work plan meeting.

Communications and Working Group Reports

The Board acknowledged receipt of the following correspondence:

1. EFPBC Meeting Minutes: February 24, 2016 and February 10, 2016
2. KEOLIS Commuter Rail Services – Environmental Monitor Notice – herbicide application for 2016
3. National Grid: Update on collective bargaining negotiations with Local 12012-04
4. School Committee letters to Governor Baker, Senator Lewis, Senator Jehlen and Representative Day re: fully funding for the Foundation Budget Commission’s Recommendations as voted by the School Committee on March 8, 2016
5. MassDEP – 2016 Sustainable Materials Recovery Program Municipal Grant application announcement
6. Nigel Haig Gallaher – resignation from Board of Appeals
7. Amy Hunter Maguire re: Eversource Project

Adjournment: 9:40 PM

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

Powers – Whitehead

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

VOTED.

Respectfully submitted,

Richard C. Howard, Town Manager