

**TOWN OF WINCHESTER
SELECT BOARD MEETING
Monday, February 25, 2019
Record**

OPENING

Chairman Lance R. Grenzeback called the meeting to order at 7:00 PM in the Select Board meeting chamber located in Town Hall. Present were, Selectman Michael Bettencourt, and Selectman David P. Errico. Vice Chairman Mariano Goluboff and Selectman Jacqueline A. Welch were absent. Also present was Town Manager Lisa Wong.

*Motion: That the Select Board adjourn to Executive Session for the purpose of discussing matters related to MGL Ch. 30A §21(a)3 - To discuss strategy with respect to collective bargaining or litigation; MGL Ch. 30 §21(a) 6 - To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Bettencourt - Errico

Roll Call: Errico, Bettencourt, Grenzeback VOTED

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

Bettencourt - Errico

Roll Call: Errico, Bettencourt, Grenzeback VOTED

NOTIFICATION OF MEETINGS AND HEARINGS

1. March 4, 2019 - Select Board - Regular Meeting
2. March 18, 2019 - Select Board - Regular Meeting
3. March 26, 2019 - Town Election
4. April 1, 2019 - Select Board - Regular Meeting
5. May 6, 2019 - Spring Town Meeting

Chairman Grenzeback reminded people of the March 4 and 18 regular meetings. There is a town election on March 26 and the board will probably meet on April 1st, the first Monday meeting after that.

Selectmen's Comments and Non-Docket Business

Chairman Grenzeback announced that the first order of business is the recognition of one of the town's more distinguished member. Mr. Nutile has put in tens or maybe hundreds of thousands of hours to the community. We would like to recognize Mr. Nutile's selfless, life-long contributions to the youth and Town Of **Winchester**. Mr. Nutile has dedicated, for more than half his life, to fostering a community where children can develop and learn life skills on the playing fields and ice rinks in **Winchester**. Through his dedication to baseball, softball, hockey and the Town playing fields, he has been able to accomplish many goals such as; lights and bathrooms on Ginn Field; creation of Westside baseball field with lights, a snack shack, press box and restrooms. And renovations to MacDonald Field, a number of fields and playgrounds in Winchester. He was instrumental in

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bringing the Cal Ripken Little League World Series to Winchester, twice. It has been truly an honor to work with and learn from this generous and caring person. Mr. Nutile's leadership and knowledge will be missed on the Field Management Committee. Chairman Grenzeback presented a citation to Mr. Nutile and took pictures with Mr. Nutile and his wife.

Jay Gill spoke about Mr. Nutile and his contributions to the community and recalled how Mr. Nutile was at the forefront of creating public-private partnerships to benefit the fields and sports. People remark about how the field is well maintained because of the money that Mr. Nutile raised.

Chairman Errico said what Mr. Nutile has done for the community is unprecedented. He has pride in Winchester athletics and kids and it's what drove him to do so much. Nutile Field is a first class facility.

Chairman Bettencourt thanked Mr. Nutile and said the field has brought the community together and is a blueprint for the town to establish public-private partnerships and left a lasting legacy. The room gave a standing ovation to Mr. Nutile. Mr. Nutile said he took more out of it than he got, from kids and parents.

Chairman Bettencourt reminded everyone of the Municipal Election on March 26 and that on March 3rd, there is a candidate forum at the Jenks Center hosted by the League of Women Voters. Also the override question will be on the ballot and there will be several information sessions.

Chairman Grenzeback said people have asked for the presentation at the Special Town Meeting on Feb. 11. It has been updated and there are copies available on the town website and by contacting the Town Manager.

TOWN MANAGER REPORT AND COMMENTS

Appointments: Town Manager announced the following permanent promotional appointment in accordance with section 4-2b of the Town she respectfully requests that the Select Board vote to waive the fifteen (15) day appointment period for: **DPW Maintenance Foreman Promotional Appointment - Joseph Doiron**

*Motion: That the Select Board waive the customary fifteen (15) day appointment effective waiting period to allow Joseph Doiron to begin his employment.
Grenzeback - Bettencourt All in favor VOTED

Ms. Wong also mentioned that there are power outages in Winchester due to strong winds and that the Eversource website has updates on estimated restoration times. The Town Manager also provided updates on latest snow and ice figures, and that town is still under 400,000 but there is more snow being forecasted. Town Manager's office is working on third edition of newsletter and encouraged people to share news.

MATTERS FROM THE AUDIENCE

COMPTROLLER'S REPORT

Chairman Grenzeback accepted the Comptroller's Financial Update as of January 31, 2019 report that was in the Select Board's packet. He then remarked that by and large it is positive in that revenues and expenditures are tracking as expected.

LICENSES

HEARINGS

Eversource Grant of Location: 53 Richardson Street - Beth Rudolph, Winchester Town Engineer and Jackie Duffy, Eversource representative presented the application. Eversource is applying for a Grant of Location to install electrical service to the home and about 10 feet of conduit in the public way. This work requires opening up the sidewalk and we have no problems with it subject to the street opening moratorium.

Chairman Grenzeback asked the homeowner and she said she was shocked that it was 10 feet and not half a foot. Chairman Grenzeback said based on the staff recommendation they will close the public portion and ask the board if they have any questions.

*Motion: That the Select Board approve Eversource's Grant of Location for the installation of approximately ten (10) feet of conduit within the public right-of-way to supply electric service to 53 Richardson Street.
Bettencourt - Errico All in favor VOTED

BUSINESS

1. Committee Appointments and Reappointments -

Capital Planning Position, term to expire January 1, 2022 - Interview Mike Beauvais

Chairman Grenzeback says there are two appointments to consider. The Select Board interviewed Mr. Johnson several weeks ago. Mr. Beauvais has indicated interest but now has withdrawn application and is interested in the field management committee. His resume has a very strong background in sports management and is an appropriate assignment.

*Motion That the Select Board reappoint James Johnson to the Capital Planning, term to expire January 1, 2022.
Bettencourt - Errico All in favor VOTED

Committee on Names; John McConnell - appoint, new term to expire March 31, 2020

James Johnson was an incumbent on the Committee on Names but it is our understanding that Mr. Johnson wanted to focus on Capital Committee.

*Motion That the Select Board appoint John McConnell to the Committee on Names, term to expire March 31, 2020.
Bettencourt - Errico All in favor VOTED

Retirement Board; William Zink - reappoint new term to expire February 12, 2022

*Motion That the Select Board reappoint William Zink to the Retirement Board, term to expire February 12, 2022.
Bettencourt - Errico All in favor VOTED

2. Affordable Housing Trust - Selectman Bettencourt noted that John Suhrbier is here from the Housing Partnership Board. Part of the ongoing efforts to evaluate affordable housing needs, we have been looking for ways to be more nimble in the market. We will soon have the housing production plan approved and produce housing towards the 10% per 40B. We have no real mechanism to participate in the market. It's hard to wait 6 months for town meeting. There are several different ways considered and the affordable housing trust seemed the best fit for

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Winchester, a quasi-municipal trust that could bring in more money. It establishes a group of trustees that are connected to the town and also very familiar with the housing market and affordable housing, something that we can build on to build on what we committed to in the housing production plan. Mass Housing Partnership has been great to work with us and try to find the perfect fit for Winchester.

Chairman Grenzeback's reading of the material is that there is state enabling legislation to allow towns to adopt the structure and requires that we create a board of trustees, one member from our board, and other experts. These are decisions we will have to make shortly. If we want to move forward with this, he presumes it has to go before town meeting. Selectman Bettencourt said it does. Chairman Grenzeback asked if we need to make decisions on membership and scope and Selectman Bettencourt said those can come afterwards. Selectman Bettencourt said we need a town meeting article and then if approved by town meeting, we would need a home rule petition. We have already discussed with Senator Lewis and Representative Day and hit the ground running in early fall to appoint trustees and look for funding sources. One of the difficult parts for Winchester is that other communities have used the Community Preservation Act to fund and Winchester does not have one in place. It would be a difficult time for us to establish one and we would have to be a little more creative in order to find ways to fund our efforts. One of the appropriate ways is for the town's selectmen's fund to be transferred and for that money to be used to leverage opportunities throughout Winchester. Unfortunately it is a finite amount of money developed over a period of time so it will be part of the charge of the Trustees and the town to explore ongoing sources of funds for the trust.

Chairman Grenzeback doesn't believe that we need to do a home rule petition and that the Attorney General reviews and there is a 90 day waiting period.

Selectman Errico asked if this is this similar to what Arlington and Concord has. Selectman Bettencourt said it is a little bit different in that it is a quasi-government fund. Selectman Errico then asked what other towns have this type of law? Selectman Bettencourt said there are several. We did evaluate other options and over the period of a year had meetings. Chairman Grenzeback named Carlisle, Medway, Stow, Westford, Plymouth, Newburyport, Warren, Sudbury and Easton and said there were several dozen.

Mr. Suhrbier said these trusts exist in 110 communities out of 351 and can get a list. It is proven to be a relatively easy thing to set up and does not require paid staff, unlike a nonprofit housing foundation. The other key thing is that it could be used to support the creation and preservation of affordable housing and can benefit both low and moderate income households. The income limit is 110%, which corresponds to the same limit as the community preservation act. In the housing production plan, one of the things that the Select Board wanted to differentiate was "a" and "A" affordable, and the affordable housing trust can accommodate both. One of the important benefits is that the range of expertise, not only in terms of affordable housing but in real estate development, real estate banking, finance, this is the sort of expertise you want on the board to supplement the expertise on other boards. The other thing the trust can do is to accept and receive property, it can contract out with for profit and nonprofit developers so we can take advantage of the nonprofits that exist in the larger region. You can leverage other funding sources, working with the bank and other funding agencies. You have more flexibility and opportunities to be more creative than just the town. One of the problems we have is being able to react in a timely manner without waiting for a spring or fall town meeting. The trust can move forward and procure property. It requires approval of the chief elected official, which is town meeting. Chairman Grenzeback says he believes it is the Select Board. Mr. Suhrbier says some sort of authorization would have to come to town meeting. Chairman Grenzeback says the Board would have to adopt a bylaw. Selectman Bettencourt said we have worked closely with a lot of banks on individual projects but tend to

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reinvent the wheel. If we had a housing trust in place that relationship would be established and ready to go. Ms. Wong confirmed that the vote has to be from the “municipal legislative body”. Chairman Grenzeback read the membership of 5 minimum and that one of the Select Board has to be a member. Chairman Grenzeback asked what the deadline is for getting the language. Selectman Bettencourt says he is not sure of exact deadline but that Town Counsel is already working on drafts to establish trust and a separate article to transfer selectmen housing fund. Other things would happen after Town Meeting. Some towns adopt an action plan, a statement of planning for the future, similar to the housing production plan, but more focused on the trust itself. Part of that would be the component of ongoing funding sources and creative partnerships.

Mr. Suhrbier said the budget needs to set up budget, management plan and who is the executive director, where the staff support is going to come from, and to do that in a transparent way. Selectman Bettencourt asked Mr. Suhrbier if the Housing Partnership Board took a vote and formal position on this and he said yes.

Chairman Grenzeback says to put two placeholder on the warrant. Suggest that the board get a formal briefing at the next meeting. Mr. Suhrbier asked what was distributed. Selectman Bettencourt said it was MHP guidebook. Mr. Suhrbier noted that the author of the guidebook is the consultant, JM Goldsmith, on the town’s Master Plan.

3. 22 Highland Development Agreement - Chairman Grenzeback stated that the Select Board was briefed by Town Counsel earlier and the developer’s lender is requesting an extension. The intention is to have all the elements of the closing completed by March 7 and the filing completed by the 8th. As discussed earlier, we have a question on the table to approve the extension.

*Motion That the Select Board adopt the extension and vote as follows with respect to those certain parcels of land identified as “Parcel 6”, “Parcel A”, and “Parcel B” on a plan entitled “Plan of Land 22 Highland Avenue Winchester, Massachusetts (Middlesex County) Prepared for the Town of Winchester”, dated November 5, 2018, drawn by GRE Surveying LLC, to be recorded with the Middlesex South District Registry of Deeds:

- (a) To extend the deadline for Five Points Development, LLC (“Five Points”) to acquire the S & R Parcel, as such term is defined in that certain Development Agreement by and between the Town and Five Points dated November 7, 2018, until March 8, 2019;
- (b) To approve the following documents, substantially in the form presented to the Select Board at its February 25, 2019 meeting, with final changes to be made by the Town Manager in her reasonable discretion in consultation with town counsel: (i) the deed to Parcel 6 from Five Points to the Town of Winchester, acting by and through its Select Board; (ii) the deed to Parcel A and Parcel B from the Town of Winchester, acting by and through its Select Board, to Five Points; and (iii) the Reciprocal Easements and Restrictions Agreement by and between Five Points and the Town of Winchester, acting by and through its Select Board; and
- (c) To authorize the Town Manager to take all actions on behalf of the Select Board that are reasonably necessary, in the judgment of the Town Manager, to complete the acquisition of the Property, including without limitation signing the foregoing documents, closing forms, affidavits, documents, easements, restrictions, escrow agreements, and settlement statements.

CONSENT AGE NDA

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One Day Alcoholic Beverage License(s)

1. Nancy Polcari for Winchester Senior Association - March 10, 2019 - Jenks Center
2. Cynthia Haddad for Shepherd Financial Partners - April 4, 2019 - Griffin Museum
3. Diana Kenosian for Boston's Best Bartending for Winchester Neighbors Club - March 1, 2019 - Sanborn House
4. Diana Kenosian for Boston's Best Bartending Winchester Field Development - March 9, 2019 - Jencks Center

*Motion: That the Select Board approve One Day Alcoholic Beverage Licenses for - Nancy Polcari for Winchester Senior Association - March 10, 2019 - Jenks Center; Cynthia Haddad for Shepherd Financial Partners - April 4, 2019 - Griffin Museum; Diana Kenosian for Boston's Best Bartending for Winchester Neighbors Club - March 1, 2019 - Sanborn House; Diana Kenosian for Boston's Best Bartending Winchester Field Development - March 9, 2019 - Jencks Center

Bettencourt - Errico

All in favor

VOTED

Other

1. Memo from Chris Nelson, Recreation Director to accept donation of \$750.00 from the En Ka Society, Inc to be applied to the 2019 Concerts on the Common.

*Motion: That the Select Board accept the donation, with appreciation, in the amount of \$750.00 from the En Ka Society, Inc to be applied to the 2019 Concerts on the Common.

Bettencourt - Errico

All in favor

VOTED

2. Memo from Catherine Donaghey, Chair BOH, to accept donation of \$3,500 from the Winchester Co-Operative Bank to support the upcoming presentation by Dr. Lisa Damour.

*Motion: That the Select Board accept the donation, with appreciation, in the amount of \$3,500 from the Winchester Co-Operative Bank to support the upcoming presentation by Dr. Lisa Damour.

Bettencourt - Errico

All in favor

VOTED

3. Approve/Correct Minutes - October 1, 9, 15, 19, 22, & 29, 2018 - Selectman Bettencourt suggest waiting until the next meeting as two members are absent.

COMMUNICATIONS AND WORKING GROUP REPORTS

The Board acknowledge receipt of the following:

1. Article re: Baker-Polito Administration Announces Six Communities to Participate in State Clean Heating and Cooling Program
2. Email from Cathy Alexander re: potential dog park
3. DPU Siting Board hearing schedule for Eversource 345kV

Board discussed the email from Cathy Alexander. Chairman Grenzeback said the town did a fairly extensive study 2 years ago and had a landscape architect evaluate 6-8 sites across Winchester. Jay Gill presented to us and almost all were near ponds and the risk of pollution was high and the cost was fairly high. Selectman Errico said there was a \$250,000 grant. Chairman Grenzeback said the short answer is to think about it but there is no immediate commitment and will wait to revisit the issue if there is money. Selectman Bettencourt suggested that we review the recommendations

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made the last time to bring everyone up to speed. Chairman Grenzeback recommend we do that at a future meeting.

MEETING SCHEDULE AND AGENDA TOPICS

ADJOURNMENT : 9:05 PM

*Motion: That the Select Board adjourn for the evening.

Bettencourt - Errico

Roll Call: Errico, Bettencourt, Grenzeback VOTED

Respectfully submitted,

Lisa Wong, Town Manager