

**TOWN OF WINCHESTER  
SELECT BOARD MEETING  
Monday, February 28, 2022  
Record**

**OPENING**

Chair Susan Verdicchio called the meeting to order at 6:00 PM via Zoom remote participation due to the State of Emergency COVID-19. Present were Select Board members Michael Bettencourt, Mariano Goluboff, and Richard Mucci. Also present was Acting Town Manager Beth Rudolph, PE. (Note - due to the remote participation all Select Board votes are roll call votes.)

\*Motion: That the Select Board adjourn to Executive Session for the purpose of discussing matters related to Waterfield Lot, 160 Forest St - 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 detrimental effect on the negotiating position of the governmental body; Asa Fletcher Fund - MGL Ch. 30A §21(a) 1 - To discuss the reputation, character, physical condition or mental health rather than the professional competence of an individual.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

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

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

**NOTIFICATION OF MEETINGS AND HEARINGS**

1. Monday, March 7, 2022 - Regular Session
2. Friday, March 11, 2022 Warrant Closes
3. Saturday, March 19, 2022 - Annual Election
4. Monday, March 28, 2022 - Regular Session

**ACCEPTANCE OF DONATIONS**

\*Motion That the Select Board accept, with gratitude, a donation of \$2,500 from the William A. Johnston Family to the Fire Department for the Fire Department Gift Account.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

\*Motion That the Select Board accept, with gratitude, donations in the amount of \$2,025 from Lucia Ristorante, Brani & Sharon Grottkau and Kevin & Patti Mawn for the Public Safety Memorial.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

\*Motion That the Select Board accept, with gratitude, a grant from the DOJ Bulletproof Vest Grant of \$33,576 to the Police Department to assist in purchasing bullet proof vests for the police officers.

Goluboff - Bettencourt

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Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

\*Motion That the Select Board accept, with gratitude, a donation of \$8,000 from the Winchester Hospital/Lahey Health to the Health Department to be used for the Coalition for a Safer Community, Tick Testing and Health Department emerging COVID expenses.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

## **TOWN MANAGER REPORT AND COMMENTS**

1. Ms. Rudolph announced the following appointment in accordance with section 4-2b of the Town Charter, and she respectfully requested that the Select Board vote to waive the fifteen (15) day appointment period for **Fire Department Firefighter/Paramedic - Brian Martinez** .

\*Motion That the Select Board waive the customary fifteen (15) day appointment waiting period to allow Brian Martinez to begin his employment.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

2. Acting Town Manager's Updates:

Please find below an update on various topics for discussion at the Board's February 28<sup>th</sup> meeting:

### **AGENDA ITEMS:**

#### **NRD - Davidson Park Grant**

A settlement in 2013 provided approximately \$4.25 million to resolve environmental liabilities related to the Industri-Plex Superfund Site in Woburn, including the restoration of wetland, stream, and pond habitats in the Aberjona River watershed. In 2020, the Industri-Plex Natural Resource Trustee Council issued their "Final Restoration Plan and Environmental Assessment for the Industri-Plex Superfund Site", [https://www.cerc.usgs.gov/orda\\_docs/DocHandler.ashx?task=get&ID=6704](https://www.cerc.usgs.gov/orda_docs/DocHandler.ashx?task=get&ID=6704) and allocated \$500,000 to \$600,000 towards riverine, floodplain, and riparian habitat restoration at Davidson Park in Winchester, specifically for the riverine restoration option previously developed by the Town's engineering consultant Horsley Witten. The grant funds require the Town to first complete a feasibility study to ensure that there is public support for the proposed riverine restoration option preferred by the Trustees, and prior to receiving additional funding for design from the grant. Representatives from Horsley Witten and the Mystic River Watershed Association (MyRWA) will be in attendance at the meeting on February 28<sup>th</sup>.

#### **Lynch School Building Project**

As discussed at the Select Board meeting on February 7<sup>th</sup>, the Board may want to consider placing an article on the Spring Town Meeting warrant to complete a traffic study in the area surrounding the Lynch School. Staff recommends that we work with Toole Design to develop a scope of work that evaluates vehicular, pedestrian, and bike safety on the east and west sides of the school, including the Pond Street corridor and the Horn Pond Brook/Sylvester Avenue/Canal Street/Middlesex Street neighborhoods. Toole has previously completed a corridor study for Woodside Road. Additionally, as discussed at the last meeting, staff recommends that the Board consider adopting a formal position or policy regarding design objectives for the project, including that the project be consistent with Winchester's commitment to sustainability and its 2020 Climate Action Plan (CAP), and that the design strive for net zero energy to the extent feasible. At a minimum, the building should be all-electric (no on-site combustion of fossil fuels), and highly energy efficient (Energy Use Intensity of 25 or less). Additional sustainable design elements should include electric vehicle charging stations, maximum solar photovoltaic production, and a facility design that maximizes material waste reduction, recycling and composting. Adoption of such a policy would support the role of the Sustainability Director in implementing the CAP in this once-in-a-generation building project.

#### **All Hazards Mitigation Plan**

The Town of Winchester is required to have an updated "All Hazards Mitigation Plan" to be eligible for mitigation project grant funding. Staff has been working to update the plan since last spring, and a revised document is now available for public comment. We recommend that the document is posted on

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the Town's website for two weeks (March 1 - 15). Once the review period is complete, and any updates are made, the document will be sent to the Massachusetts Emergency Management Agency (MEMA) for their review.

**ARPA Funding**

DPW is requesting the immediate approval of \$150,000 from ARPA funds to pay for the design and construction of an aeration system in the South Reservoir to reduce manganese levels in the drinking water supplied to the middle low system. This is the last "advance" request of ARPA funds before the Board ranks the remaining project requests.

**Washington & Swanton Street Parcel**

Staff is requesting approval of up to \$20,000 from the Select Board's Housing Fund for VHB to complete groundwater sampling and prepare Massachusetts Contingency Plan (MCP) submittals to re-establish MCP compliance at the Washington and Swanton Street property. There is approximately \$192,000 remaining in the account.

**Transfer Station Working Group**

The Finance Committee would like to move forward with the Transfer Station Working Group to determine if any additional revenue can be generated for the FY23 budget. I request that the Select Board determine which two Board members would like to participate on the Working Group. As a reminder:

The Acting Town Manager will be putting together a Working Group to discuss long-term financial considerations for operation of the Town's Transfer Station. Current recommended membership is Town staff (Acting Town Manager, Assistant Town Manager, DPW staff, Sustainability Director, and Town Clerk), two members of the Select Board, two members of the Finance Committee, and three Town Meeting members, one of which shall be a neighborhood representative. I recommend that the Moderator select the three Town Meeting members for participation in the Working Group.

**State Earmark Requests**

Senator Lewis and Rep Day have requested that the Town submit earmark requests on the order of \$50,000 to \$100,000 to be considered as part of the state budget process. Staff is recommending the following projects be submitted for consideration:

- Aberjona River Initiative implementation (working with the Conservation Commission)
- Purchase of new sidewalk snow removal equipment
- Implementation of the Town's Downtown Improvement Action Plan (DIAP)
- Winter Pond water quality improvements
- Wedge Pond water quality study
- Fire Department ambulance equipment purchase

**ADDITIONAL UPDATES:**

**Municipal Building Mask Mandate**

The mask mandate in municipal buildings will be in effect until Monday, March 14<sup>th</sup>. The School and Recreation Departments will be implementing separate policies for their buildings and programs.

**Town Election**

The Annual Town Election will be held on Saturday, March 19<sup>th</sup>. All precincts will be voting at Winchester High School Gymnasium (2<sup>nd</sup> floor). Polls will be open from 7am to 8pm. Parking is available in the high school lots, no parking on Spruce Street or the adjacent neighborhoods. Absentee ballots are available from the Town Clerk's office; there will be no early voting. The Winchester Chamber of Commerce will be holding a meet the candidate forum on Wednesday, March 9<sup>th</sup> at 8am. The League of Women Voters will also be holding four debates before the election. The debates will be broadcast on WinCam and are scheduled for:

- March 2<sup>nd</sup>, 7 to 9:30pm - School Committee and Board of Health
- March 10<sup>th</sup>, 7 to 9:30pm - Select Board and Planning Board

**Spring Town Meeting**

The Spring Town Meeting warrant closes on Friday, March 11<sup>th</sup>. The Select Board will need to vote the final Town Meeting warrant no later than Monday, April 4<sup>th</sup>. The first night of Town Meeting is scheduled for Monday, April 25<sup>th</sup>.

**Swim Winchester**

Staff requested that Anderson & Krieger opine on the use of a portion of Skillings Field for an indoor public swimming facility that would not be part of the School Department's athletics' facility. Attached is a

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copy of their opinion, which finds that because the Town acquired Skillings Field for the purposes of use as parkland, the proposed structure cannot be placed on the Field without authorization from the State legislature. A copy of the opinion is attached, and will be forwarded to the School Committee and to Swim Winchester.

**Construction/Capital Project Updates**

- Upcoming bids:
  - North Reservoir Dam - Bid were opened for this project on February 15<sup>th</sup> and the project came in on budget. Planning efforts will start in the next few weeks with the contractor.
  - Transfer Station Improvements - The Town received our approval letter from MassDEP on December 7<sup>th</sup>. The bid opening has been extended to March 22<sup>nd</sup>.
  - Main Street Bridge Railing - The Main Street Bridge Railing project came in approximately \$100,000 overbid. We are currently evaluating options for additional funding.
- Church at Waterfield - Construction is expected to start at the intersection on Church Street and Waterfield Road around May 1<sup>st</sup> and will last 6 to 8 weeks. We are setting up a site meeting for mid-March with the abutting restaurants and businesses and contractor to discuss impacts and logistics. The construction start date cannot be pushed back due to the use of FY22 funds that need to be expended before June 30<sup>th</sup>.
- Winchester Center Station (MBTA) - The MBTA has indicated that their construction start is weather dependent, and they do not expect the contractor to be on-site before mid-March.
- Eversource 115kV Project - Eversource will be conducting 24-hour operations during the weeks of February 21 and 28 to complete pipe testing at manhole locations on Woodside Road, Wildwood Street, Bacon Street, and Main Street. Crews will perform testing of the recently installed duct bank as to prepare for cable pulling activities expected later this construction season. Pipe testing requires vacuum pumps and generators to run 24-hours.

**COVID-Related Updates**

The Winchester Health Department is holding weekly COVID testing in the Town Hall Auditorium. Testing is open to Winchester residents, Town employees, and non-residents who work in Winchester. Cost is \$20 per tes, and free for Winchester Town employees and in hardship cases. The next testing dates are:

- Monday, February 28<sup>th</sup> from 2:30 to 4:30pm; and
- Wednesday, March 2<sup>nd</sup> from 4 to 6pm.  
Registration is available at: <https://www.winchester.us/695/Project-Beacon-Account>

**Community Events**

- **Past, Present, and Future of Winchester's Trees** - Event hosted by the Planning Board, Conservation Commission, and Climate Action Advisory Committee on March 3<sup>rd</sup> at 7pm to highlight the importance of trees in Winchester. More information on the Town's calendar.
- **EV101** - An introduction to owning electric vehicles will be presented on Wednesday, March 9<sup>th</sup> at 7pm. More information on the Town's calendar.
- **Eating Disorder Prevention** - Presentation by Stephanie Haines, M.Ed. CHES on March 2<sup>nd</sup> at 7pm (virtual). More information on the Town's calendar.
- **COVID-19: Two-years Later** - President of Winchester Hospital Dr. Weiner. Monday, March 7<sup>th</sup> 12 - 1pm (virtual). <https://winchesterchamber.com/events-calendar/#!event/2022/3/7/dr-weiner-president-of-winchester-hospital>

**COMPTROLLER 'S REPORT**

**HEARINGS**

The Select Board approved the Alteration of Premises for the following businesses:

- \*Motion: That the Select Board approve the Alteration of Premises for The Blackhorse, Inc. d/b/a Black Horse Tavern located at 32-38 Waterfield Road to add outside dining space to their existing license with the Town of Winchester.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio

VOTE

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\*Motion: That the Select Board approve the Alteration of Premises for Zia Maria Restaurant, Inc. d/b/a Ristorante Lucia located at 5-13 Mt. Vernon Street to add outside dining space to their existing license with the Town of Winchester.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE

## **LICENSES**

The Select Board approved the Common Victualler Annual License Renewal:

\*Motion: That the Select Board approve the Common Victualler Annual License Renewal for Toscano's Italian Kitchen.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE

## **BUSINESS**

1. **NRD Grant-Davidson Park Project** - Catherine Pedemonti, Mystic River Watershed Association and Neal Price, Horsley Witten, updated the Board on the status of the open space improvements at Davidson Park. Presently they have an opportunity to receive grant money from the Industri-Plex Natural Resource Trustee Council to do the riverine restoration. Public input and community engagement is very important to receive the funding and the Trustees are looking for the Board's support of the project. Ms. Pedemonti informed the Board that they will be gauging resident support for the improvements including meeting with the Planning Board, and Conservation Commission. The Association has also developed a website, [mysticriver.org/Davidson-park](http://mysticriver.org/Davidson-park), is sending out a survey, reaching out to local organizations, will hold an Open House on site and a public meeting in June. The Select Board offered their support of the project.
2. **10 Converse Update** - Ian Gillespie, along with members of his team, attended the meeting to discuss the landscaping around their proposed building at 10 Converse Place. They have met with the Conservation Committee, and have filed a Notice of Intent. As owners of the river edge, the Select Board needs to be listed as the applicant on the notice. The Board agreed with putting the Town as the applicant on the Notice of Intent.
3. **Non-Resident Voting Warrant Article** - Philip Coonley & Wei Han, Immigrant Justice Committee and Marilyn Mullane, LWV, explained the background for their Citizen Petition Warrant Article. Winchester residents who are not US citizens are currently not permitted to vote in our local elections. Nevertheless, many are civically engaged in Winchester: attending parent-teacher conferences, volunteering their time, and all pay taxes for our public schools, library, police, fire department, and roads. Many of these people own businesses. Yet, they have no say in selecting Winchester's leadership, voting on local policies, or on the local taxes they must pay directly or indirectly. Their article is asking the Town Meeting members pledge to allow documented, non-citizen residents over 18 to have voting privileges in local elections pending the Commonwealth's approval. Mr. Coonley informed the Board that they had submitted their petition to the Town Manager's Office today. Mr. Bettencourt reminded everyone that if the article is approved by the Select Board and Town Meeting it would not go into effect until the State Legislature approves it.
4. **Lynch School Building Project** - Ms. Rudolph opened the discussion regarding staff's recommendation that a traffic study be done of the surrounding area of the Lynch School. If the Board supports the study to be put as an article on the warrant she will contact Toole Design to

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give us a cost proposal for Town Meeting. She then revisited the discussion regarding the Board setting a net zero sustainability policy for the Lynch School design.

\*Motion: That the Select Board authorize the Town Manager to develop an article for the spring town meeting warrant to complete a traffic study for the area surrounding the Lynch School, and work with Toole Design to develop a scope of work that evaluates vehicle, pedestrian, and bike safety on the east and west sides of the school, including the Pond Street Corridor and the Horn Brook Pond / Sylvester Avenue / Canal Street / Middlesex Street neighborhoods.

Goluboff - Bettencourt

Roll Call: Goluboff, Mucci, Bettencourt, Verdicchio VOTED

\*Motion: That the Select Board establish a Policy of the Select Board to ensure the Lynch School Project, a once-in-a-generation project, will be consistent with Winchester's commitment to sustainability and its 2020 Climate Action Plan (the CAP), and that the design will strive for net zero energy to the extent feasible. At a minimum, the building should be all-electric (no on-site combustion of fossil fuels), and highly energy efficient (Energy Use Intensity of 25 or less). Additional sustainable design elements should include electric vehicle charging stations, maximum solar photovoltaic production, and a facility design that maximizes material waste reduction, recycling and composting.

Goluboff - Bettencourt

Roll Call: Goluboff, Mucci, Bettencourt, Verdicchio VOTED

**5. All Hazards Mitigation Plan** - Ms. Rudolph informed the Board that the Town is required by the state & federal government to have an All Hazards Mitigation Plan. The draft plan is ready to be posted and she will be taking public comment.

**6. ARPA Funding** - Jay Gill, DPW Director, gave a brief description for the need to install a Reservoir Aeration/mixer for Manganese. The Town's water in the middle low system, there has been discoloration and recent testing has found higher manganese levels. The elevated levels happen in the fall when the Town turns over from the Reservoir to MWRA water. The mixer can improve water quality and lower manganese concentrations by circulating oxygen into the water. Bruce Adams, Weston & Sampson, informed the Board that the high levels have been happening in many other towns, who are using the same system. Unfortunately, this has been an ongoing problem for a long time that needs to be resolved as soon as possible. Using ARPA funds for the aeration, which was number one on the DPW ARPA list, allows them to purchase/install the mixer by the fall.

\*Motion: That the Select Board appropriate \$150,000 from the ARPA funds to pay for the costs of design through construction/implementation of the Reservoir Aeration for Manganese.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

**7. Washington/Swanton Streets Authorization** - Ms. Rudolph requested that the Board approve \$20,000 from the Select Board Housing Fund so that VHB can complete groundwater sampling to prepare a report for the re-established MCP compliance at the Washington and Swanton Street property.

\*Motion That the Select Board authorize up to \$20,000 from the Select Board Housing Fund for VHB to complete the testing and submittals needed to re-establish compliance with the Mass Contingency Plan.

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Goluboff - Bettencourt

Roll Call - Goluboff, Bettencourt, Mucci, Verdicchio

VOTED

- 8. Transfer Station Working Group** - Ms. Rudolph stated that in putting together the working group she was going to wait till the new Board was in place but the Finance Committee has requested that the Select Board members be appointed sooner than later. Mr. Goluboff has volunteered to be the Select Board representative.
- 9. Earmark Requests** - Ms. Rudolph informed the Board, as an FYI, that the offices of Senator Lewis and Representative Day are requesting from the Town suggested earmark items, between \$50,000 and \$100,000, to be considered as part of the state budget. Staff has developed a list of six items, and will be submitting three to each office.
- 10. Waterfield Lot** - No discussion was held.
- 11. Warrant Articles** - Mark Twogood, Assistant Town Manager submitted a draft warrant for the Board to review.

**CONSENT AGENDA**

\*Motion That the Select Board approve the license agreement between the Town and the Russell Hill Condominium Association for the Town owned parking lot located behind 955 Main Street for the period of January 31, 2022 thru January 31, 2023.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio

VOTED

\*Motion That the Select Board approve One Day Liquor Licenses for Michelle MacKenzie for Superior Servers - June 4 & 11, 2022 - Wright Locke Farm; Maria Rutman for Jenks Center - March 13, 2022 - Jenks Center.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio

VOTED

\*Motion That the Select Board approve meeting minutes for December 17, 2021 and January 10, 14 & 24, 2022.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio

VOTED

**ADJOURNMENT : 9:55 AM**

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

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio

VOTED

Respectfully submitted,  
Beth Rudolph, Acting Town Manager