



TOWN OF WINCHESTER SELECT BOARD'S MEETING
SELECT BOARD MEETING ROOM

A. 8:30 A.M. OPENING

Executive Session (closed to public)

NONE

Notification of Meetings and Hearings (open to public via Zoom)

8:30 AM

- Monday, March 28, 2022 - Regular Session
- Monday, April 4, 2022 - Regular Session
- Monday, April 11, 2022 - Regular Session
- Monday, April 25, 2022 - Regular Session before Spring Town Meeting
- **Monday, April 25, 2022 – Spring Town Meeting**

B. ACCEPTANCE OF DONATIONS

C. TOWN MANAGER REPORT AND COMMENTS

Staff Reappointments: Mary Ellen Lannon, Town Clerk; Sheila Tracy, Treasurer/
Collector – Terms to Expire March 31, 2023

D. COMPTROLLER'S REPORT

E. LICENSES

F. HEARINGS

G. BUSINESS

1. Reappoint Town Engineer, term to expire March 31, 2023
2. Approval of the Acting Town Manager's Employment Agreement
3. Appointment of IAC Retiree Member

Documents:

[2022-03-03 - TOWN ENGINEER REAPPOINTMENT.PDF](#)
[EMPLOYMENT AGREEMENT FOR ACTING TOWN MANAGER \(3.3.22\)](#)
[\(1389073.1\).PDF](#)

H. CONSENT AGENDA

Approve Meeting Minutes: February 28 & March 7, 2022

Documents:

2 28 22 MINUTES.PDF

3 7 22 MINUTES.PDF


I. COMMUNICATIONS AND WORKING GROUP REPORTS



Town of Winchester

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

TO: Winchester Select Board

FROM: Beth Rudolph, PE – Acting Town Manager/Town Engineer 

DATE: March 4, 2022

RE: Town Engineer Re-appointment

As you may be aware, the Town Engineer position is annual re-appointment and my current appointment to that position expires on March 31, 2022. I wish to be re-appointed to this position for another year.

Section 4-2b of the Town Charter gives the Town Manager the authority to appoint the Town Engineer annually. However, given that I am currently serving in the Acting Town Manager role, I would like to delegate my appointing authority to the Select Board to re-appoint me to the position of Town Engineer.

Thank you.

Employment Agreement
for
Acting Town Manager
between
Beth Rudolph and the Town of Winchester, Massachusetts

Whereas, effective October 2, 2021, Beth Rudolph was appointed by the Winchester Select Board (the “Board”) to the position of Acting Town Manager; and

Whereas, the terms and conditions of employment for the position of Town Manager are established via an employment contract; and

Whereas, the position of Town Manager is not included in the Town’s Classification and Compensation Plan; and

Whereas, the Town and Ms. Rudolph wish to address how Ms. Rudolph’s service as Acting Town Manager shall impact her compensation and other terms and conditions of employment;

Now therefore, the Town and Ms. Rudolph agree as follows:

- Ms. Rudolph shall perform such functions and duties as are set forth in the Charter, the Massachusetts General Laws, and any other laws applicable to the position of Town Manager, and to perform such other legally permissible and proper duties and functions as the Select Board shall from time to time assign.
- The appointment of Ms. Rudolph as Acting Town Manager shall continue until such time as another Town Manager is appointed; provided, however, that either party may end this Agreement at any time upon thirty (30) days’ written notice, unless the parties agree otherwise.
- During the term of her appointment as Acting Town Manager, in addition to her base salary as Town Engineer, the Town shall pay Ms. Rudolph the additional compensation and benefits identified in the Memorandum Dated September 17, 2021 and attached hereto as Exhibit A. All other terms and conditions of employment afforded to Ms. Rudolph as Town Engineer shall continue to apply during her service as Acting Town Manager.
- Upon the conclusion of her service as Acting Town Manager, Ms. Rudolph’s appointment as Town Engineer shall be restored under the same terms and conditions in place prior to her service as Acting Town Manager. If Ms. Rudolph is not re-appointed as Town Engineer for the first appointment cycle following her term as Town Manager, she shall be entitled to a severance payment of \$46,667.

In witness whereof, the Chair of the Board, on behalf of the Town, and Ms. Rudolph have signed and executed this Agreement, in two counterparts, one of which shall be retained by Ms. Rudolph, and one of which shall be retained by the Town Human Resources Department.

Employee:

For the Town:

Beth Rudolph

Susan Verdicchio, Chair, Select Board

Date: _____

Date: _____

**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

**Monday, February 28 , 2022
Select Board Meeting**

1 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

2
3 *Motion That the Select Board accept, with gratitude, a donation of \$8,000 from the
4 Winchester Hospital/Lahey Health to the Health Department to be used for
5 the Coalition for a Safer Community, Tick Testing and Health Department
6 emerging COVID expenses.

7 Goluboff - Bettencourt

8 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

9
10 **TOWN MANAGER REPORT AND COMMENTS**

11
12 1. Ms. Rudolph announced the following appointment in accordance with section 4-2b of the Town
13 Charter, and she respectfully requested that the Select Board vote to waive the fifteen (15) day
14 appointment period for **Fire Department Firefighter/Paramedic - Brian Martinez** .

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

18 Goluboff - Bettencourt

19 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

20
21 2. Acting Town Manager's Updates:

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

23
24 **AGENDA ITEMS:**

25 **NRD - Davidson Park Grant**

26 A settlement in 2013 provided approximately \$4.25 million to resolve environmental liabilities related to
27 the Industri-Plex Superfund Site in Woburn, including the restoration of wetland, stream, and pond
28 habitats in the Aberjona River watershed. In 2020, the Industri-Plex Natural Resource Trustee Council
29 issued their "Final Restoration Plan and Environmental Assessment for the Industri-Plex Superfund Site",
30 https://www.cerc.usgs.gov/orda_docs/DocHandler.ashx?task=get&ID=6704 and allocated \$500,000 to
31 \$600,000 towards riverine, floodplain, and riparian habitat restoration at Davidson Park in Winchester,
32 specifically for the riverine restoration option previously developed by the Town's engineering consultant
33 Horsley Witten. The grant funds require the Town to first complete a feasibility study to ensure that there
34 is public support for the proposed riverine restoration option preferred by the Trustees, and prior to
35 receiving additional funding for design from the grant. Representatives from Horsley Witten and the
36 Mystic River Watershed Association (MyRWA) will be in attendance at the meeting on February 28th.

37 **Lynch School Building Project**

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

53 **All Hazards Mitigation Plan**

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

Monday, February 28 , 2022
Select Board Meeting

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

4 **ARPA Funding**

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

9 **Washington & Swanton Street Parcel**

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

14 **Transfer Station Working Group**

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

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

25 **State Earmark Requests**

26 Senator Lewis and Rep Day have requested that the Town submit earmark requests on the order of
27 \$50,000 to \$100,000 to be considered as part of the state budget process. Staff is recommending the
28 following projects be submitted for consideration:

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

35 **ADDITIONAL UPDATES:**

36 **Municipal Building Mask Mandate**

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

39 **Town Election**

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

- 47 • March 2nd, 7 to 9:30pm - School Committee and Board of Health
- 48 • March 10th, 7 to 9:30pm - Select Board and Planning Board

49 **Spring Town Meeting**

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

53 **Swim Winchester**

54 Staff requested that Anderson & Krieger opine on the use of a portion of Skillings Field for an indoor
55 public swimming facility that would not be part of the School Department's athletics' facility. Attached is a
56

57

Monday, February 28 , 2022
Select Board Meeting

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 15th 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 7th. The bid opening has been extended to March 22nd.
- 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 1st 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 30th.
- 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 28th from 2:30 to 4:30pm; and
- Wednesday, March 2nd 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 3rd 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 9th at 7pm. More information on the Town's calendar.
- **Eating Disorder Prevention** - Presentation by Stephanie Haines, M.Ed. CHES on March 2nd at 7pm (virtual). More information on the Town's calendar.
- **COVID-19: Two-years Later** - President of Winchester Hospital Dr. Weiner. Monday, March 7th 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

Monday, February 28 , 2022
Select Board Meeting

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

4 Goluboff - Bettencourt

5 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE

6
7 **LICENSES**

8
9 The Select Board approved the Common Victualler Annual License Renewal:

10
11 *Motion: That the Select Board approve the Common Victualler Annual License
12 Renewal for Toscano's Italian Kitchen.

13 Goluboff - Bettencourt

14 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE

15
16 **BUSINESS**

17
18 1. **NRD Grant-Davidson Park Project** - Catherine Pedemonti, Mystic River Watershed
19 Association and Neal Price, Horsley Witten, updated the Board on the status of the open space
20 improvements at Davidson Park. Presently they have an opportunity to receive grant money
21 from the Industri-Plex Natural Resource Trustee Council to do the riverine restoration. Public
22 input and community engagement is very important to receive the funding and the Trustees are
23 looking for the Board's support of the project. Ms. Pedemonti informed the Board that they will
24 be gauging resident support for the improvements including meeting with the Planning Board,
25 and Conservation Commission. The Association has also developed a website,
26 mysticriver.org/Davidson-park, is sending out a survey, reaching out to local organizations, will
27 hold an Open House on site and a public meeting in June. The Select Board offered their
28 support of the project.

29
30 2. **10 Converse Update** - Ian Gillespie, along with members of his team, attended the meeting to
31 discuss the landscaping around their proposed building at 10 Converse Place. They have met
32 with the Conservation Committee, and have filed a Notice of Intent. As owners of the river
33 edge, the Select Board needs to be listed as the applicant on the notice. The Board agreed
34 with putting the Town as the applicant on the Notice of Intent.

35
36 3. **Non-Resident Voting Warrant Article** - Philip Coonley & Wei Han, Immigrant Justice
37 Committee and Marilyn Mullane, LWV, explained the background for their Citizen Petition
38 Warrant Article. Winchester residents who are not US citizens are currently not permitted to
39 vote in our local elections. Nevertheless, many are civically engaged in Winchester: attending
40 parent-teacher conferences, volunteering their time, and all pay taxes for our public schools,
41 library, police, fire department, and roads. Many of these people own businesses. Yet, they
42 have no say in selecting Winchester's leadership, voting on local policies, or on the local taxes
43 they must pay directly or indirectly. Their article is asking the Town Meeting members pledge
44 to allow documented, non-citizen residents over 18 to have voting privileges in local elections
45 pending the Commonwealth's approval. Mr. Coonley informed the Board that they had
46 submitted their petition to the Town Manager's Office today. Mr. Bettencourt reminded
47 everyone that if the article is approved by the Select Board and Town Meeting it would not go
48 into effect until the State Legislature approves it.

49
50 4. **Lynch School Building Project** - Ms. Rudolph opened the discussion regarding staff's
51 recommendation that a traffic study be done of the surrounding area of the Lynch School. If the
52 Board supports the study to be put as an article on the warrant she will contact Toole Design to

Monday, February 28, 2022
Select Board Meeting

1 give us a cost proposal for Town Meeting. She then revisited the discussion regarding the
2 Board setting a net zero sustainability policy for the Lynch School design.
3

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

10 Goluboff - Bettencourt

11 Roll Call: Goluboff, Mucci, Bettencourt, Verdicchio VOTED
12

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

22 Goluboff - Bettencourt

23 Roll Call: Goluboff, Mucci, Bettencourt, Verdicchio VOTED
24

25 **5. All Hazards Mitigation Plan** - Ms. Rudolph informed the Board that the Town is required by the
26 state & federal government to have an All Hazards Mitigation Plan. The draft plan is ready to
27 be posted and she will be taking public comment.
28

29 **6. ARPA Funding** - Jay Gill, DPW Director, gave a brief description for the need to install a
30 Reservoir Aeration/mixer for Manganese. The Town's water in the middle low system, there
31 has been discoloration and recent testing has found higher manganese levels. The elevated
32 levels happen in the fall when the Town turns over from the Reservoir to MWRA water. The
33 mixer can improve water quality and lower manganese concentrations by circulating oxygen
34 into the water. Bruce Adams, Weston & Sampson, informed the Board that the high levels have
35 been happening in many other towns, who are using the same system. Unfortunately, this has
36 been an ongoing problem for a long time that needs to be resolved as soon as possible. Using
37 ARPA funds for the aeration, which was number one on the DPW ARPA list, allows them to
38 purchase/install the mixer by the fall.
39

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

43 Goluboff - Bettencourt

44 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED
45

46 **7. Washington/Swanton Streets Authorization** - Ms. Rudolph requested that the Board approve
47 \$20,000 from the Select Board Housing Fund so that VHB can complete groundwater sampling
48 to prepare a report for the re-established MCP compliance at the Washington and Swanton
49 Street property.
50

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

Monday, February 28 , 2022
Select Board Meeting

1 Goluboff - Bettencourt

2 Roll Call - Goluboff, Bettencourt, Mucci, Verdicchio VOTED

3
4 **8. Transfer Station Working Group** - Ms. Rudolph stated that in putting together the working
5 group she was going to wait till the new Board was in place but the Finance Committee has
6 requested that the Select Board members be appointed sooner than later. Mr. Goluboff has
7 volunteered to be the Select Board representative.
8

9 **9. Earmark Requests** - Ms. Rudolph informed the Board, as an FYI, that the offices of Senator
10 Lewis and Representative Day are requesting from the Town suggested earmark items,
11 between \$50,000 and \$100,000, to be considered as part of the state budget. Staff has
12 developed a list of six items, and will be submitting three to each office.
13

14 **10. Waterfield Lot** - No discussion was held.

15
16 **11. Warrant Articles** - Mark Twogood, Assistant Town Manager submitted a draft warrant for the
17 Board to review.
18

19 **CONSENT AGENDA**

20
21 *Motion That the Select Board approve the license agreement between the Town
22 and the Russell Hill Condominium Association for the Town owned parking
23 lot located behind 955 Main Street for the period of January 31, 2022 thru
24 January 31, 2023.

25 Goluboff - Bettencourt

26 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

27
28 *Motion That the Select Board approve One Day Liquor Licenses for Michelle
29 MacKenzie for Superior Servers - June 4 & 11, 2022 - Wright Locke Farm;
30 Maria Rütman for Jenks Center - March 13, 2022 - Jenks Center.

31 Goluboff - Bettencourt

32 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

33
34 *Motion That the Select Board approve meeting minutes for December 17, 2021 and
35 January 10, 14 & 24, 2022.

36 Goluboff - Bettencourt

37 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

38
39 **ADJOURNMENT : 9:55 AM**

40
41 *Motion: That the Select Board adjourn for the evening.

42 Goluboff - Bettencourt

43 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

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45 Respectfully submitted,
46 Beth Rudolph, Acting Town Manager

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**TOWN OF WINCHESTER
SELECT BOARD MEETING
Monday, March 7, 2022
Record**

OPENING

Chair Susan Verdicchio called the meeting to order at 6:30 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 Washington/Swanton, Waterfield Lot - 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; MGL Chapter 30 §21(a) 2 - To discuss strategy with respect to collective bargaining or litigation.

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. Wednesday, March 9, 2022 - 87-89 Cross Street 40B Presentation
2. Saturday, March 19, 2022 - Annual Election
3. Monday, March 28, 2022 - Regular Session
4. Monday, April 4, 2022 - Regular Session
5. Monday, April 11, 2022 - Regular Session
6. Monday, April 25, 2022 - Regular Session before Spring Town Meeting
7. Monday, April 25, 2022 - Spring Town Meeting

CHAIR REPORT

Chair Verdicchio announced that this is her last Select Board meeting and expressed her appreciation of working with both the Select Board and School Committee for the past nine years.

ACCEPTANCE OF DONATIONS

*Motion That the Select Board accept, with gratitude, two ARPA Stabilization Grants to the Recreation Department, January disbursement, one in the amount of \$16,333.33 to be used for the WRAP/Kid Connection and the other in the amount of \$5,633.33 to be used for the Lynch After School Program.

Goluboff - Bettencourt

Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED

TOWN MANAGER REPORT AND COMMENTS

Monday, March 7, 2022
Select Board Meeting

1 1. Ms. Rudolph announced the following appointment in accordance with section 4-2b of the Town
2 Charter, **DPW Water & Sewer Heavy Equipment Operator - David Pratt**, no action is needed.

3
4 2. Acting Town Manager's Updates:

5 Please find below an update on various topics for discussion at the Board's March 7th meeting:

6 **AGENDA ITEMS:**

7 **Sports Court Update**

8 Funding for design of the proposed "Sports Court" at the Mystic School was approved at Fall 2021 Town
9 Meeting. Design has been progressing over the past few months, and the Recreation Department is
10 requesting that the Select Board sponsor an article at Spring Town Meeting to fund construction and
11 construction admin services in the amount of \$200,000. This would be a Free Cash appropriation.

12 **Waterfield Lot Proposal**

13 On Monday night, the Board will be considering whether or not to place an article on the Spring Town
14 Meeting for approval of the LDA and ground lease related to the CIVICO proposal for the Waterfield Lot
15 property. Staff recommends that if the vote does move forward, the article be placed on a separate warrant
16 for a Special Town Meeting to be mailed as one package with the annual Spring Town Meeting warrant. The
17 Special Town Meeting could be opened and postponed to a time certain or to the last item of business. This
18 would allow for the regular Town Meeting to close without waiting for the Waterfield Lot article to be
19 completed.

20
21 **ADDITIONAL UPDATES:**

22 **Municipal Building Mask Mandate**

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

25 **Town Election**

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

- 32 • March 2nd, 7 to 9:30pm — School Committee and Board of Health
- 33 • March 10th, 7 to 9:30pm – Select Board and Planning Board

34 **Spring Town Meeting**

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

38 **Affordable Housing – 40 Elmwood Avenue, Unit 7**

39 A condominium is available for purchase by a qualified first time homebuyer for the below market price of
40 \$275,000 at 40 Elmwood Avenue. The unit is 1082 square feet, and has two bedrooms and two bathrooms.
41 It is on the second floor of the building and includes one indoor parking space for an additional \$10 per
42 month. Income and asset limits apply. Please contact the Town Manager's office for more information.

43 **Construction/Capital Project Updates**

44 • Upcoming bids:

- 45 ○ *Transfer Station Improvements* – The Town received our approval letter from MassDEP on December
46 7th. The bid opening has been extended to March 22nd.
- 47 ○ *Muraco School Immediate Repairs* – Bids for the roof repairs are scheduled to be open April 14th and
48 work is expected to start in late June. Electrical repairs are being delayed until 2023 as a result of
49 extended lead times for materials and the need to turn power off to the building while the work is
50 being completed.

Monday, March 7, 2022
Select Board Meeting

- 1 • Church at Waterfield – Construction is expected to start at the intersection on Church Street and
- 2 Waterfield Road around May 1st, and will last 6 to 8 weeks.
- 3 • Winchester Center Station (MBTA) – The MBTA and their contractor expect to be on-site starting
- 4 Monday, April 4th to install fencing and establish their work zones on Laraway Road, and in the Aberjona
- 5 and Waterfield lots. We expect the MBTA to attend the Select Board meeting on March 28th to provide
- 6 an update on the project.
- 7 • Eversource 115kV Project – Eversource is continuing vacuum testing in the Bacon and Church Street
- 8 area through the weekend, and potentially into the week of March 7th.
- 9 • National Grid – National Grid will be on Bacon Street from Lagrange Street to Mystic Valley Parkway;
- 10 Lagrange Street from Bacon Street to Norwood Street; Norwood Street from Church Street to Central
- 11 Street; Cottage Avenue from Bacon Street to Norwood Street; Central Street from Bacon Street to
- 12 Rangeley Road; Harrington Road from Bacon Street to the dead end; and Everett Avenue from Bacon
- 13 Street to Stratford Road to replace and/or relocate the gas mains. Work is expected to last two to three
- 14 months.

15 **COVID-Related Updates**

16 The Winchester Health Department is holding weekly COVID testing in the Town Hall Auditorium. Testing is

17 open to Winchester residents, Town employees, and non-residents who work in Winchester. Cost is \$20 per

18 test, and free for Winchester Town employees and in hardship cases. The next testing is scheduled for

19 Wednesday, March 9th from 3 to 4pm.

20 Registration is available at: <https://www.winchester.us/695/Project-Beacon-Account>

21 **Community Events**

- 22 • **Past, Present, and Future of Winchester's Trees** – Event hosted by the Planning Board, Conservation
- 23 Commission, and Climate Action Advisory Committee on March 3rd at 7pm to highlight the importance
- 24 of trees in Winchester. More information on the Town's calendar.
- 25 • **EV101** – An introduction to owning electric vehicles will be presented on Wednesday, March 9th at 7pm.
- 26 More information on the Town's calendar.
- 27 • **Repair Café** – March 5, 9:30am to 12:30pm at Chidley Hall at the First Congregational Church. The
- 28 Repair Café is to encourage folks to repair and reuse items (such as clothing, furniture, tools, appliances,
- 29 bikes, toys, etc.) rather than throw them away. Please make an appointment. (Link is on Community
- 30 Calendar).
- 31

32 **PUBLIC COMMENT**

33

34 Brian Sogoloff, representing the Friends of Skillings Field, stated that in the past the Town had

35 taken land by eminent domain from several owners for parkland at Skillings Field. The Friends of

36 Skillings Field are requesting that the Select Board continue to keep Skillings Field as parkland.

37

38 **COMPTROLLER'S REPORT**

39

40 The Select Board acknowledged the Comptroller's Financial Report as of January 31, 2022

41

42 **HEARINGS**

43

44 **Eversource Grant of Locations** - to install approximately 7-feet of conduit within the public right-of-

45 way to serve #25 and 8-feet of conduit in the right-of-way to serve #29. This work is necessary to

46 provide underground electrical service to 25 Calumet Road and 29 Calumet Road. Beth Rudolph,

47 Town Engineer, presented and informed the Board that the Engineering Department and DPW

48 have no issues.

49

50 *Motion: That the Select Board approve the installation of approximately 7-feet of

51 conduit within the public right-of-way to serve #25 and 8-feet of conduit in the

Monday, March 7, 2022
Select Board Meeting

1 right-of-way to serve #29. This work is necessary to provide underground
2 electrical service to 25 Calumet Road and 29 Calumet Road.

3 Goluboff - Bettencourt

4 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE
5

6 **LICENSES**
7

8 The Select Board approved the Class II Second Hand Motor Vehicle License:
9

10 *Motion: That the Select Board approve the Class II Second Hand Motor Vehicle
11 License for Robson Santos, President of Rio Auto Group Corporation d/b/a
12 Dealer One Motors, 802 Main Street, Winchester, Operating hours 7:00 am -
13 7:00 pm.

14 Goluboff - Bettencourt

15 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE
16

17 **BUSINESS**
18

19 **1. Committees & Commissions** - The Select Board interviewed William McGonigle for the Board
20 of Appeals position. At the time of the Select Board vote the second applicant, Martin Hill, was
21 not in attendance. Mr. Mucci and Mr. Bettencourt stated that they wanted to wait to do the
22 appointments until the Board was able to also interview Mr. Hill. Mr. Goluboff stated that the
23 BOA is in great need of members and since there were two open positions there was no reason
24 for not appointing Mr. McGonigle to the regular position now.
25

26 *Motion: That the Select Board appoint William McGonigle to the Board of Appeals
27 regular position, term to expire March 31, 2023.

28 Goluboff - Verdicchio

29 Roll Call: YES - Goluboff, Verdicchio VOTE 2-1-1
30 NO - Mucci ABSTAIN - Bettencourt Motion Passes
31

32 Mr. Bettencourt questioned the motion passing as he thought that a majority vote was needed,
33 Mr. Goluboff stated that with Mr. Bettencourt abstaining there was a majority vote.
34 Immediately after the vote Mr. Hill joined the meeting and the Board interviewed and appointed
35 him to the Board of Appeals.
36

37 *Motion: That the Select Board appoint Martin Hill to the Board of Appeals alternate
38 position, term to expire March 31, 2023.

39 Goluboff - Verdicchio

40 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE
41

42 **Note:** Mina Makarious, Town Counsel, joined the meeting to clarify the rules and the
43 parliamentary procedure of voting. He stated that four is a quorum but if you have two voting
44 yes, one voting no and one abstaining, the motion passes as you still have a quorum. A motion
45 to "reconsider the motion" can only be made by the yes voters. Chair Verdicchio and Mr.
46 Goluboff felt that there was no need to reconsider the motion.
47

48 **2. Photoville Fence 2022** - Hilda Wong-Doo, Cultural District Chair and Crista Dix, Griffin
49 Museum Director, presented to the Board this year's Photoville Fence exhibit, which will be held
50 from June through September 2022, for the Board's approval. Ms. Dix also informed that Board
51 that this year is the Griffin Museum's 30th Anniversary. The Board was very supportive and
52 excited that the exhibit was continuing this year
53

Monday, March 7, 2022
Select Board Meeting

1 that reflects CIVICO's initial August 2020 proposal as supplemented by the
2 March 2, 2022 letter from CIVICO to the Town; and (2) place an Article on the
3 2022 Spring Annual Town Meeting Warrant to approve said land development
4 agreement and lease. .

5 Goluboff - Bettencourt

6 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTE
7

- 8 **7. Select Board Sponsored Warrant Articles** - Mark Twogood, Assistant Town Manager,
9 submitted a list of the Board sponsored Warrant Articles for the Board's vote. They need to vote
10 the Appropriation of Funds for the Fire Department Equipment and the supplement for the Main
11 Street Bridge Railing Project. They also need to approve the Lynch School Neighborhood
12 Traffic Study, the Transfer Station Permit Fee and the Standard Articles. The Transfer Station
13 Permit Fee article was submitted by Mr. Bettencourt and he was asked for some detail about
14 the article. He is looking to get some direction from Town Meeting on the structure of the
15 Transfer Station fees making sure that we are considering all of the residents. Mr. Mucci
16 thought this was what the Transfer Station Working Group was developed to do and we should
17 let them do what they are being tasked to do. Mr. Goluboff suggested that since he was
18 appointed to the group, he could give regular updates to the Board. Mr. Bettencourt was
19 agreeable to the suggestion and decided to remove this article.
20

21 *Motion That the Select Board sponsor the articles that were presented except the
22 Transfer Station Permit Fee article.

23 Goluboff - Bettencourt

24 Roll Call - Goluboff, Bettencourt, Mucci, Verdicchio VOTED
25

26 **CONSENT AGENDA**
27

28 *Motion That the Select Board grant the Town Day annual permissions for Friday,
29 June 3 and Saturday, June 4, 2022 with a rain date of Sunday, June 5,
30 2022. A.) Street closings and parking bans: Friday, June 3rd - Block Party -
31 5:30 PM - 9 PM - closure of Mt. Vernon St. from Converse Place to
32 Washington Street; Saturday, June 4th (or rain date of Sunday, June 5th)
33 6:00 AM to 10 PM: Main Street (Rotary to Mystic Valley Pkwy); Mt. Vernon
34 St. (Rotary to Washington St.), Thompson St.; Converse Pl., and Laraway
35 Rd. until 5 PM only (if not closed due to train station construction); Jenks
36 Parking Lot (to replace displays normally on Laraway Rd); B.) Approval to
37 use the following open areas: Town Common, Manchester Field, Eliot Park,
38 Town Hall and the Mill Pond and adjacent grounds; C.) Approval for a
39 fireworks display from Manchester Field.

40 Goluboff - Bettencourt

41 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED
42

43 *Motion That the Select Board approve the Winchester Foundation for Educational
44 Excellence / Highlander's Running Club Annual 2.5 Mile Town Day Road
45 Race to be held June 4, 2022 with registration taking place on Manchester
46 Field starting at 7:00 am.

47 Goluboff - Bettencourt

48 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED
49

50 *Motion That the Select Board approve One Day Liquor Licenses for Archie
51 McIntyre for Wright-Locke Farm - March 17, April 14 June 9 & 13, August 24

Monday, March 7, 2022
Select Board Meeting

1 and September 21, 2022 - Wright-Locke Farm; Emily Stanowicz for Simply
2 Serving - April 9, 2022 - Temple Shir Tikvah.

3 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED
4

5 *Motion That the Select Board approve meeting minutes for February 7, 2022.

6 Goluboff - Bettencourt

7 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED
8

9 **ADJOURNMENT : 10:15 AM**

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

11 Mucci - Bettencourt

12 Roll Call: Goluboff, Bettencourt, Mucci, Verdicchio VOTED
13
14

15 Respectfully submitted,
16 Beth Rudolph, Acting Town Manager

DRAFT