

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
OCTOBER 3, 2005
SELECTMEN'S OFFICE, TOWN HALL**

PRESENT: Jonathan Dennehy, Chair, Mark Carlisle, Clerk, Ron Reed, Member, Kevin Paicos, Town Administrator and Sylvia Turcotte, Administrative Assistant.

This meeting was aired live on local cable television Channel 8.

- I. APPROVAL OF AGENDA: Dennehy called the meeting to order at 7:00 p.m. and read the agenda. Reed moved to accept the agenda, Carlisle seconded and the motion was carried.

Pages Beach Grant Update – Dennehy stated that they wanted to recognize and thank those who worked so diligently to get this grant for the Pages Beach area. In particular, Shelly Hatch and Leila Michaud of MRPC, Jill Anderson, and Sandy and Jason Thomas. Reed reiterated his thanks and added that getting grants can be done with hard work.

Leila Michaud stated that it is a highly competitive process but it worked and everyone persevered. She added that they are pleased and that Shelly Hatch did a great job. Shelly thanked Sandy and Jill for going out and getting the surveys and added that it was a great group effort. A resident thanked the Town for their perseverance and Reed responded that it was a great group effort. Jill Anderson stated that she was grateful.

Kevin Paicos then gave an update on the progress of this project. He stated that total funding needed was \$663,289 which is under the low bid received of \$667,250. He stated that there were a few things that could be done ourselves to offset the deficit, but the contractor has to agree. He added that a warrant article to fund this is on the Special Town Meeting warrant. He stated that one option would be a betterment which would be roughly \$1,181 per home, amortized for 20 years making it about \$100 per year per home.

Paicos added that this didn't have to be decided at this meeting but that the goal is to get this done before winter. He stated that they would start work on October 21st and that they might get some done, if not all.

Reed stated that he agrees that it should get started ASAP. He added that free cash could be held back in case some ledge is hit when they do the construction. He added that \$90 a year per home is not unreasonable and seems fair. Reed stated that if we get Town Meeting vote on the 20th the work should start right away.

Dennehy stated that it has to be done before winter and that our task is to figure out how to get it started and done. He went on to say that perhaps it could even be started before Town Meeting if possible and that this option should be explored.

Paicos stated that if we could agree to award this tomorrow they still couldn't start the work for at least 2 weeks. He added that it will be very difficult to get this done before winter.

Dennehy stated that we have work to do to get this resolved and that it's a work in progress. He added that getting this done before winter is our goal.

October 3, 2005

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

- A. Announcement of date for Halloween by Chief Murray:** Dennehy read the memo from Chief Murray announcing that Halloween will be celebrated in Ashburnham on Sunday, October 30th from 4-6 p.m. The memo also asked residents to be especially cautious when driving in town on that evening. Dennehy added that there were three things to remember at Halloween: 1) buy candy; 2) have kids available; and 3) remember to be careful driving in town on that night.
- B. Announcement of final sale of Central Fire Station property:** Dennehy stated that the sale has been completed of the Central Street property to Richard Wright Family Trust and that Mr. Wright has already demolished the old Fire Station building. The sale was in the amount of \$136,400 and these funds will go towards the new Public Safety Facility.
- C. Town Administrator's Update:** The update report that was presented to the Board is attached.

Dennehy stated that he is still working with Town Counsel on Kevin Paicos' contract and that the goal is not to have to extend the MOU again.

Dennehy went on to say that the J.R. Briggs Committee has already had two meetings and has begun formulating a plan. He added that at the first meeting they took a tour of the school and learned about the space issues, which is the result of more students and a different curriculum. He stated that it is very crowded. He went on to say that they are trying to arrange public tours and that Ed Tree and Candy Wright are working on surveys to go out with the electric bills to get the public's input. He stated that the end of the calendar year is the goal of the committee and they are moving forward.

Kevin Paicos stated that he has talked with the architect on the Public Safety Building and he stated that he has already sent out 30 bid packets for the bid opening of November 2nd. He added that a lot of people did a lot of work and the site work is in motion to be finished by Christmas. Reed stated that any extra top soil from the site could be brought to the playgrounds in Town and Carlisle agreed.

Paicos stated that he met with the Advisory Board and that it was a pleasant experience.

Paicos noted that he would have a report to review the pros and cons of the Nextel communication tower versus doing it ourselves with the Light Department. He added that his goal is the end of October. Reed asked how many square feet it would cover and Paicos stated that the Nextel tower has a base of 5 feet on a 12x12 feet concrete slab that fits on a couple hundred square feet total. Reed noted that they should keep in mind that there would be a replacement of the water tank on this lot eventually.

**Board of Selectmen
October 3, 2005**

Page 3 of 7

Paicos stated that he met with Bob Fichtel regarding the Highway Department move and they

discussed a different better site to move it to rather than the landfill. He added that the 21E assessment determined the present Highway Department site was clean, but another assessment is needed to include soil borings and stated that a grant is available to do this. He added that it has to be done before we can sell the Highway Department site.

Paicos went on to state that he had a meeting with Mark Bingham of Roy Bros. Oil and that we have a guaranteed price of \$1.90 a gallon unless we go over the gallons quoted to them in our bid. He stated that he is looking at ways to cut back such as shutting down the building for a full 24 hours which is a possibility.

Paicos stated that ConCom is thinking of a part-time agent to share with other towns. He added that they have the money already and said that he is working on it and that they are enthusiastic about the possibility.

Dennehy inquired as to the POWER group concerns and any updates on the situation. Paicos stated that Evancic was cited by the Building Inspector for the trailer and it has been removed. He added that Eric Smith is working on the MEPA and will advise. He went on to say that the 61A issue is unclear as to whether we were given proper notice and to research this would be very costly. Dennehy stated that the presumption is that it was not in Chapter 61A and it should be noted that the POWER group has consulted with an attorney and we should leave it to them to do the research. He added that we have done as much as we can on this.

III. OLD BUSINESS

- A. Approved and signed Memorandum of Understanding for Kevin Paicos:** Dennehy stated that the Memorandum of Understanding has been fully signed as a temporary legal arrangement with Kevin Paicos until his contract is resolved by November 1st.

IV. NEW BUSINESS

- A. Request by Oakmont Student Council to hold their annual Homecoming Parade:** Dennehy read the letter from Alexandra Papagno sent to the Board of Selectmen on behalf of the Oakmont Student Council. Reed motioned to allow the Oakmont Student Council to host their annual Homecoming Parade down So. Main St. and So. Maple Ave. and was seconded by Carlisle. Motion carried. Reed asked if the Police Department had been notified and he was told that they had.
- B. Discussion on the Special Town Meeting Warrant Articles:** Dennehy stated that the Board has been joined by members of the Advisory Board for this portion of the meeting to go over the STM Warrant articles. He added that Rick Sisson was also present and has submitted a request to the Board to move the Town Meeting to November in order to give the boards and him a chance to hold hearings on the re-zoning of Murray Road.

**Board of Selectmen
October 3, 2005**

Page 4 of 7

Sisson stated that he has spoken with the Town Planner, Eric Smith and he stated that it could easily be done by November 17th. He added that he has been working with the Planning Board on this for a year.

Dennehy stated that the date was set with consideration that there weren't any articles that would affect the tax rate. Paicos stated that in order to have the STM on October 20th, the warrant had to be posted the next day, October 4th. He added that the Pages Beach article has to be done now and that the rezoning wouldn't be done by the 20th.

Paicos suggested 2 town meetings. One on October 20th for the Pages Beach article and a few time-sensitive articles and the second meeting on or around November 17th for the remainder of the articles.

Paicos also stated that if the Board wanted their recommendation to appear on this warrant, he didn't have all the numbers for them to consider at this time.

Reed inquired if there was a great public need to get this rezoning done now. And he added that Articles 15 and 17 shouldn't be on the warrant and that the Advisory Board should be dealing with these issues.

Carlisle stated that it became apparent that we needed to rezone Murray Road when he was on the Focus Committee, stating that this was one area to take off of the Industrial Zone. He added that he appreciates that we can't hold this up and that the Pages Beach project is a priority. He stated that the October 20th meeting is needed for Pages Beach, but that there would be a need for a second meeting and that he doesn't have a problem with this.

Reed then stated that a second meeting should be considered only after all the hearings are done on the rezoning issue, not by November 17th.

Dennehy agreed that the Pages Beach project needs to move forward ASAP. Paicos added that the contract with the state is all executed for Pages Beach and the construction cost is just about equal so the state might agree to have the engineering cost and administrative costs come later. He added that 9 articles are timely.

Dennehy inquired as to the status of the wetlands by-law and Paicos stated that it's not really completed but a part-time conservation agent would work to get it done. Dennehy stated that he would prefer fewer as opposed to many meetings but if its needed we could have another Special Town Meeting, probably in December or January. He added that we could probably coordinate this better with a little more advanced notice.

Dennehy requested that we move forward with this one and get the next done well in advance. He added that Mr. Sisson should benefit from this with more time. Sisson responded that everything is done except for the hearings. Dave Perry, Chair of the ZBA, who was present, stated that the ZBA's consensus is that zoning on Murray Road should be changed from industrial zoning.

**Board of Selectmen
October 3, 2005**

Page 5 of 7

Dennehy stated that we should have opinions from both the Planning Board as well as the Zoning Board of Appeals. Perry stated that it should be changed back to Special Permit and that he would get a formal vote on their recommendation. Dennehy stated that he should advise the Board of the timeline.

Dennehy then began the discussion on each article. (STM warrant draft is attached for reference) Article 1 was the Pages Beach funding. Reed motioned to approve the concept

and was seconded by Carlisle. Vote was taken – unanimous aye. Advisory Board Chair, John Hyslop asked about the funding and both Dennehy and Paicos stated that these would be decided on at the meeting on October 17th.

Paicos stated that Article 2 was previously voted on at the ATM but Town Counsel stated that we need another vote because the first vote didn't include the lease language. Reed inquired if this lease would have to be voted on each year and Paicos said it would. Reed asked why a town meeting vote was needed to spend Chapter 90 money and Paicos stated that only if it's a lease. Reed motioned to accept Article 2 and was seconded by Carlisle. Vote was taken – unanimous aye.

Paicos stated that he recommends Article 3 be put on the warrant for the Oct. 20th STM. He stated it should be done right away because the 3 servers will be out of warranty in September 2006. He added that it would run approximately \$13k. Reed stated that the Town just spent \$140k to upgrade 4 years ago and that \$13k is a lot to pay for just a report. Reed motioned to accept the article as written and was seconded by Carlisle. Vote was taken – unanimous aye.

Article 4 is for replacing the Assessor's current computer system and a comment was made by John Hyslop that the town should look into leasing the computer equipment like the school does. Paicos stated that this was a great idea and that he would look into this. Reed motioned to accept this article as amended with the lease option and was seconded by Carlisle. Vote was taken – unanimous aye.

Article 5 was passed over. Article 6 was for the replacement of the computer switch at town hall. Reed motioned to accept and was seconded by Carlisle. Vote was taken - unanimous aye.

Paicos stated that there wasn't any urgency for Article 7 and they should pass over for now but that they will want to do this in the future.

Reed motioned to accept Article 8, on the water main replacement on Main St. and Rt. 12, and was seconded by Carlisle. Vote was taken – unanimous aye.

Article 9 was the construction of two temporary classrooms at JR Briggs School. Mike Zapantis and Dave Christianson were present to answer any questions that might have been posed. Zapantis stated that \$160k was needed. Reed motioned to accept the article and Carlisle seconded. Vote was taken – unanimous aye.

**Board of Selectmen
October 3, 2005**

Page 6 of 7

Article 10 was passed over for now. Article 11 – Municipal Light income – motioned by Reed to accept and seconded by Carlisle. Vote taken – unanimous aye.

Paicos stated that Article 12 was a precautionary article that he recommends on the communications tower project. Reed motioned to accept the article and was seconded by Carlisle. Vote taken – unanimous aye.

Article 13 was on real and property tax bills issued on a quarterly basis, which was deferred for now. Dennehy stated that is was a good idea for cash flow issues and Paicos agreed that

it would be good for the town and that most people like it. He added that it can't be implemented until next year.

Paicos stated that Article 14 on the hiring and sharing the services of a Conservation Agent is timely, the funds are available and should be approved, the sooner the better. Reed motioned to accept and was seconded by Carlisle. Vote taken – unanimous aye.

Article 15 was deferred. Reed stated that the town has had a lot of good years and now with the energy crisis they should buckle down and pay attention to ways of conserving.

Paicos stated that Article 16, which involves updating the Personnel Policy and Wage Classification Plan for non-union employees, hasn't been done in at least a decade. He added that this is a most critical article. Reed motioned to accept the article as written and was seconded by Carlisle. Vote taken – unanimous aye.

Article 17 was passed over and Paicos stated that they would wait for December to analyze the energy costs.

Carlisle stated that next year they shouldn't have the same labor with the issues and that this is an investment for next year. Hyslop stated that it is managements responsibility to look for ways to save now and conserve before they look to get additional monies.

Hyslop stated that the Advisory Board wouldn't be able to recommend until they get the dollar figures and Reed stated that the BOS wouldn't recommend the articles until dollar figures are noted. Paicos stated that he would have the finance plan by the end of the week to review.

V. APPROVAL OF MINUTES

- A. **September 6, 2005 – Regular Meeting**
- B. **September 9, 2005 – Special Meeting**
- C. **September 19, 2005 – Regular Meeting**

Carlisle motioned to approve all of the above minutes listed and was seconded by Reed. Motion carried.

**Board of Selectmen
October 3, 2005**

Page 7 of 7

VI. OTHER MATTERS

No other matters.

Dennehy announced that the next BOS meeting would be held on Monday, October 17th at 7:00 p.m.

VII. EXECUTIVE SESSION

Not needed this evening.

VIII. ADJOURNMENT

At 9:28 p.m., Carlisle motioned to adjourn the meeting and was seconded by Reed. Motion carried.

Respectfully submitted,

Sylvia Turcotte
Administrative Assistant