

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
SEPTEMBER 5, 2006
SELECTMEN'S OFFICE, TOWN HALL**

At 6:30 p.m. refreshments were served in honor of the employees who were to be recognized and the Eagle Scouts who were congratulated.

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

PRESENT: Jonathan Dennehy, Chair, Mark Carlisle, Chris Gagnon, Kevin Paicos, Town Administrator and Sylvia Turcotte, Administrative Assistant.

- I. APPROVAL OF AGENDA: Dennehy called the meeting to order at 7:03 p.m. and read the agenda. Carlisle moved to accept the agenda, Gagnon seconded and the motion was carried.
- II. PRESENTATIONS, REPORTS & CORRESPONDENCE

Dennehy began the meeting by noting that the Board wanted to publicly recognize some employees of the Town. He began by noting that Wes Landry, who has served Ashburnham as Town Clerk for 36 years, has decided to retire. Jonathan stated that Wes has served the Town well for many years, as well as his father before him. He stated that he wanted to publicly recognize and thank Wes for the years he has given to the Town and that he has fond memories of these years of service. Dennehy also stated that during Wes' tenure here as Town Clerk, no one could question his integrity. Gagnon reiterated his thanks to Wes.

Wes stated that "it has been a pleasure serving the Town". Dennehy stated that Wes' term is over in April and that the Board of Selectmen has the authority to appoint an interim Town Clerk. Dennehy went on to state that he would like to recognize another long-term employee, Linda Ramsdell, who has been with the Town for over 20 years, serving as Assistant Town Clerk. Dennehy motioned to appoint Linda Ramsdell as the Interim Town Clerk. He noted that Wes Landry has strongly endorsed her for this position and Dennehy added that she is most deserving of this appointment. He congratulated Linda. Dennehy also noted that Wes has stated the position should be full-time and that they would look at the pros and cons on this and discuss it further.

Dennehy noted that he also wanted to recognize Carol Chenevert for so graciously volunteering to prepare the refreshments before this meeting.

The next employee that was recognized was Jim Zarozinski, Acting Highway/Water/Sewer Superintendent who had completed the Road Scholar Program.

Kevin Paicos stated that he wanted to take a moment to say that it's very obvious that there are extraordinary people who work for the Town and they are talented and conscientious as well.

Kevin then recognized Jim who has achieved the Roads Scholar designation and proceeded to read the letter recognizing him for this achievement. He stated that this is an intense educational program that is put on by the State and that Jim deserves our thanks and recognition.

Jonathan then acknowledged Donna Burton for completing the Assessors 101 Course. He thanked her for her hard work and stated that he hoped she would continue. Kevin stated that this is a multi-year course to achieve Assessors status. He noted that this was an intense week long course and is the first chapter to become a certified Assessor.

Fire Chief Paul Zbikowski was the next to be recognized for his participation in the Chief's Commission. Kevin stated that in the entire country only about 200 chiefs were invited to participate and that this is a great honor for "Zibby" to be one of the chiefs selected. He also noted that the Chief now has a great incentive on grant applications. He added that this is a great honor for him as well as the Town.

Dennehy then stated that he regretted that he was unable to make the Boy Scouts Courts of Honor recently and that the Selectmen wanted to recognize their achievement of Eagle Scout.

He stated that there were three new Eagle Scouts to be honored and their names were Steven Lang, Anthony Faler and Alex Popko, who could not be present tonight because he was off to college in Canada.

Jonathan went on to say that this is an incredible achievement and that the Board is very proud of the Town and of Troop 18. He stated that our community has regularly produced Eagle Scouts and that it is partly due to Dennis Cormier the Troop Leader. Jonathan stated that he wanted to recognize them for all their hard work and then proceeded in presenting Steve Lang and Anthony Faler with a certificate of appreciation signed by the Selectmen. He also wanted to thank Chris Gagnon for arranging to have them at this meeting.

Dennehy then noted that he wished to make a personal comment at this time. He stated that he wanted to apologize for his comments regarding televising the workshop meetings. He noted that these meetings were intended to be less formal but that it turned into a wrong message which was not his intent. He added that he did not wish to hide any issues and that he made a mistake in asking for this. He noted that he supports all Town's people knowing what's going on. He wanted it known that the Board has not had any meetings that were not televised and they have always at all times observed the Open Meeting Laws. He noted he learned a lesson from this.

- A. Correspondence:** Dennehy noted that the Board received a letter from the National Music Museum and Center for Study of the History of Musical Instruments and signed by John Koster, Professor of Music and Conservator noting their support of the Fredericks and the Piano Museum. He noted that the Board also received a letter from resident, Donald Lemay supporting the Fredericks and their Piano Museum. This letter also brought up the hours of operation by Waste Management at the Land Fill, noting that they had cut their hours and that he feels its not open long enough.

Paicos stated that unfortunately, the Town is at the mercy of the DEP and the vendor because we don't have a permit and that we really don't have any flexibility at this time.

Dennehy noted that this would be kept on their front burner.

At this time, Dennehy stated that they would skip over to Item D, the Public Hearing by MRPC.

- D. Public Hearing by MRPC on Page's Beach Transfer of Funds:** Shelly Hatch of MRPC was present for the Public Hearing.

At 7:40 p.m. Chris Gagnon motioned to open the Public Hearing and was seconded by Mark Carlisle. Motion carried.

Dennehy read the following notice of the Public Hearing:

“The Town of Ashburnham Board of Selectmen will hold a Public Hearing on Tuesday, September 5, 2006 at 7:30 p.m. in the Selectmen’s Meeting Room, 32 Main Street, Ashburnham, Massachusetts 01430 to solicit citizen comments and input on the following Community Development Block Grant Activities:

- FY03 Grant: Past performance and closeout activities for the regional housing rehab program with the Towns of Ashby and Townsend
- FY05 Grant update on the 3-town regional housing rehab grant with Townsend and Ashby
- FY05 Grant update on the Page Beach infrastructure Water Line Project
- Re-programming of funds within the FY05 Grant
- Addition of the Housing Rehab Component to the FY05 Grant
- FY07 Grant application
- Community Development Strategy
- Any other grant related issues.

Any person or organization wishing to participate or provide comment is strongly encouraged to attend or contact the Board of Selectmen.”

Dennehy introduced Shelly Hatch who gave everyone a copy of her report which she proceeded to review. She stated that this public hearing was needed for the reprogramming of funds. Hatch stated that the Page Beach Project is ahead of schedule and under budget, which is good news. Paicos noted that it is \$80K under budget.

Hatch said that they were looking for the best use of the funds and that they will assist individual homeowners who are income eligible. She noted that these homeowners have to get approval now by sending in a letter and that they will have to add a housing rehab line item to the grant. Paicos stated that whatever funds are left after assisting homeowners will go towards road surfacing. Hatch noted that the roads would have to wait until everyone is hooked up and that by the end of September, if they qualify, it will be put in.

Dennehy stated that they needed a motion to approve the request from DHCD. Gagnon motioned to request that the Housing Rehabilitation component be added to the current FY05 grant, which now only includes the infrastructure project at Page Beach. Carlisle seconded and the motion carried.

Hatch then touched on the Community Development Strategy and the CDBG FY07 Grant by stating that HUD wants to see a target area and will need multi-components and wants to see the money really make a difference. Dennehy stated that they would contact MRPC and would advise Eric Smith, the Town Planner. Paicos also advised Hatch to contact Sylvia who would get the Department Heads together to strategize.

Hatch stated that we should start working towards next year, adding that they want to see some thought put into this. She added that it is getting much more competitive.

Dennehy stated that the Board really appreciated all her help and thanked her for all her hard work on Page Beach.

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Dennehy went on to say that Ron Reed was the Selectman who deserves a lot of credit for spearheading this project. He also noted that Senator Brewer deserves our thanks for his help once again for Ashburnham.

At 8:08 p.m. Dennehy motioned to close the Public Hearing and was seconded by Gagnon. Motion carried.

- B. Town Administrator's Update:** Paicos went over his update. (copy attached) Paicos noted that the Fitchburg Road Water Main Project is about 8/10 complete.

Dennehy inquired as to the status of the DPW Reorganization and the hiring of the new DPW Engineer. Paicos stated that his draft plan is close to being done and will probably be done when he gets back. He noted that it is the collective thoughts of a good group of people and once the Board approves, it will go right out. He added that there would probably be someone in place by January 1st. Dennehy noted that because it is already funded he was happy to hear that it's moving forward.

Dennehy commented that Paicos' annual evaluation by the Board would be a rough and ready evaluation for this year and that they needed to set a deadline for themselves on this process. He suggested consideration to publicly release the Boards evaluation by the first meeting in October. He stated that the individual ones should be done by September 25th and that his combined evaluation be done by the first meeting in October. The Board unanimously agreed to his suggestion of a timeline.

- C. Public Safety Building Committee update:** Gagnon stated that the committee did not have a meeting recently because they needed time to get the appraisal of the Hardware Store and he noted that the site was not approved yet by ConCom.

Gagnon noted that he had a productive meeting with Jim Zarozinski who had a program to remove the silt. He noted that Sheriff Glodis had a crew ready to work in Ashburnham. He added that he would meet with ConCom over the weekend and resolve the issues and that the Public Safety Building Committee would meet next Thursday.

Dennehy noted that the Board would schedule a meeting immediately once they received the appraisal on the hardware store. Paicos noted that the appraisal may be ready by Monday, September 11th. He also noted that he wanted to make it clear that appraisals have to be confidential until the Board has reviewed and decided and approved them for content. Once this is done, then it will be public record. He added that it has to be dealt with ASAP.

He noted that they should schedule a time table tonight for the Special Town Meeting with enough time to adequately deal with the Hardware Store and give a charge to the committee to get this resolved. He added that we owe this to the Town's people to get a project going.

Dennehy noted that they will have the opportunity to present options at the Special Town Meeting and let the people decide and to send out recommendations to the Town's people.

Gagnon reiterated by stating that "it sounds like a fair and democratic plan".

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A short discussion followed on potential dates for the Special Town Meeting and it was unanimously decided that Tuesday, November 14th was the most logical date pending the availability of the Moderator, Dave Uminski and Linda Ramsdell, Interim Town Clerk.

Paicos stated that they would close the warrant on Friday, September 29th, Paicos stated that on

October 2nd, the Board would finalize the draft, on October 16th the Board would finalize the warrant at their meeting and it would be posted on Friday October 27th.

He also noted that the Public Safety Building Committee will get their recommendations to the Board for the STM warrant once the appraisal of the Hardware Store is reviewed. Dennehy stated that the Board would meet in Executive Session once the appraisal comes in and then bring in the Public Safety Building Committee. Paicos stated that the Board needs to meet first to review the appraisal. Paicos added that a meeting date should be set tonight and that the appraiser should be invited to this meeting as well.

Dennehy stated that the meeting would be posted as Executive Session for Wednesday, September 13th at 7:00 p.m. He added that they would initiate the meeting in open session and then go into Executive Session.

Carlisle stated that this project has been noted by the Fogarty Report as highly charged and emotional and in the interest of clarity when all is said and done the report noted savings of \$15 a square foot. It was \$271.40 and now is \$268.38 which is \$11.00 more a square foot and we have lost another $\frac{3}{4}$ of a million dollars now.

He went on to say that we need to realize it's a serious problem and we have to get this done and we need to move ahead quickly and can't waste any more time. He also noted that Cushing has been very patient with the work we've done.

Dennehy stated that he agrees that we need a timetable to bring this to Town Meeting and get this resolved. He stated that his intent is to have a definitive answer. He added that his personal belief is that we need to start setting some deadlines for ourselves. He stated that he pictures the Committee will come up with a couple of suggestions, one would be a plan without any additional money and another would be a building with an additional override.

Gagnon noted that a \$1.3M override is a possibility.

Dennehy stated that they should clearly establish a charge and a deadline to the Committee. He went on to say that reasonable minds will differ but that they should gather as a community and have at least two options to present to the voters at the Special Town Meeting. He added that every day we lose ground and he anxiously awaits the appraisal and the recommendation of the Committee.

III. OLD BUSINESS

- A. **Final review and vote on the Selectmen's Road Race Policy:** Dennehy stated the first reading of this policy was at the last Board of Selectmen meeting and changes were made to the policy from this first reading. Carlisle motioned to approve the Road Race Policy as amended and was seconded by Gagnon. Motion carried.

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Dennehy noted that Kevin Paicos had put together a Selectmen's Meeting Agenda policy which he stated was excellent. He noted that the purpose of this policy is to set a timeline so the public knows. Gagnon stated that this was a good start and Carlisle added that no changes were needed. Dennehy motioned to approve the first reading and it was a unanimous vote by the Board to approve this policy.

- B. Vote by the Board on Disclosure of Financial Interest by Special Municipal Employee:** Dennehy stated that this was submitted by Joe Olivari who is the Assistant Electrical Inspector for the Town as well as an Electrician here in Town. He has submitted this form to declare and recognize his position as a Special Municipal Employee. It should also be noted that he does not have the authority to inspect his own work. Gagnon motioned to approve and allow the BOS Chair to sign the exemption form. Carlisle seconded and the motion carried. He also noted that once this is signed, it will be mailed to Joe Olivari and copies to the Town Clerk and the personnel file.

IV. NEW BUSINESS

- A. Discussion and vote on appointment of a new Water/Sewer Commissioner:** Dennehy stated that Gil Carreiro has submitted a letter of interest to be appointed to the Water/Sewer Commission and that he has vast experience on committees and boards in the Town. Carlisle made the motion to appoint Gil Carreiro to the Water/Sewer Commission and was seconded by Gagnon. Motion carried. Dennehy thanked Gil and stated that his appointment would be effective immediately.
- B. Review and vote on new Fire Department Fee Rate Schedule for Permits, Inspections and Reports:** Dennehy stated that the Fire Department wants to increase their standard fees for permits. Fire Chief Zbikowski was present and stated that most of the fees are in line with most other communities. Carlisle motioned to approve the new fee schedule as written and Gagnon seconded. Motion carried.
- C. Discussion on Community Preservation Act:** Gagnon stated that this is a way for the community to reach out to get money back from the State. He added that if you don't ask for money back, you won't get it. He noted that there were three items that this could be used for: Open Space, Affordable Housing, and Historical Preservation.

Gagnon also noted that currently we will borrow money for the renovation of the Town Hall and that there is a potential that the State could pay for part of this.

Dennehy stated that in his personal opinion this is an extremely bad law as it takes our money and has us increase taxes. He stated the leading funding mechanism is recording deeds at the Registry. He also noted that there is no requirement that the state will match our funds. He also stated that he strongly disagrees and opposes this act but he added that he's not against forming a committee.

Gagnon noted that it might behoove us to look into this. Dennehy stated that he would like to see a building authority for the Town the same as the school.

Dennehy motioned to invite the public to submit letters of interest to sponsor the Community Preservation Act. Kevin Paicos added that he would write up a charge for this committee. Dennehy noted that the deadline to submit letters of interest will be September 29th and Gagnon noted that this would be discussed at the first meeting in October.

V. APPROVAL OF MINUTES

A. **August 7, 2006 – Regular Meeting**

Carlisle motioned to approve the minutes for the August 7, 2006 Regular Meeting and was seconded by Gagnon. Motion carried.

B. **August 7, 2006 – Executive Session**

Carlisle motioned to approve the minutes for the August 7, 2006 Executive Session and was seconded by Gagnon. Motion carried.

C. **August 16, 2006 – Special Workshop Meeting**

Carlisle motioned to approve the minutes for the August 16, 2006 Special Workshop Meeting and was seconded by Gagnon. Motion carried.

VI. OTHER MATTERS

Dennehy stated that the next meeting of the Board of Selectmen will be Monday, September 18, 2006.

Dennehy then noted that the State Primary Election would be on Tuesday, September 19, 2006 at J.R. Briggs School from 7:00 a.m. to 8:00 p.m. and added that this includes many offices such as Governor and Lt. Governor.

Dennehy also announced the Public Safety Building Committee meeting on September 7th at 7:00 p.m. and the Town Hall Renovation Committee meeting on Tuesday, September 12th at 6:30 p.m.

Dennehy then went over the tentative timeline for the Special Town Meeting on Tuesday, November 14th at 7:00 p.m. He noted the last day to submit articles for the warrant would be Friday September 29th at 1:00 p.m., Board of Selectmen review and approval of the draft warrant on October 2nd, Board of Selectmen approval and signature on October 16th and posting on October 27th.

At this time Dennehy asked if there was any further business and Rick Sicard, who was representing the Fire Department, stated that he had a statement prepared, but that he would only submit a copy because everything in the statement was touched on by the Board previously at this meeting.

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VII. EXECUTIVE SESSION

At 9:38 p.m., Dennehy stated that the Board would enter into Executive Session to deliberate upon matters which, if done in open meeting could detrimentally affect the position of the Town regarding strategy with respect to the purchase, exchange, lease or value of real property and strategy of pending litigation and not to reconvene into regular session except to adjourn. Carlisle motioned to enter into Executive Session and was seconded by Gagnon. Motion carried.

VIII. ADJOURNMENT

At 10:40 p.m., Carlisle motioned to adjourn the meeting and was seconded by Gagnon. Motion carried.

Respectfully submitted,

Sylvia Turcotte
Administrative Assistant