

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
AUGUST 7, 2006
SELECTMEN'S OFFICE, TOWN HALL**

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 7:01 p.m. and read the agenda. Carlisle moved to accept the agenda, Gagnon seconded and the motion was carried.

II. **PRESENTATIONS, REPORTS & CORRESPONDENCE**

A. **Correspondence:** Dennehy noted that the Board will take this spot on the agenda each meeting to go over any correspondence that they receive of interest to the community.

Dennehy then stated that they have received a letter from Leslie and Witt Wales stating their support for the Fredericks and the Piano Museum in Town. He noted that the Board has received a number of other letters of support as well.

Dennehy stated that they also received a letter from the Town Administrator in Ayer stating that Chief Zbikowski had been named to the Fire Chief Screening Committee there and that it is an honor for him to be selected.

B. **Town Administrator's Update:** Kevin Paicos reviewed the items on his update, which is attached.

Paicos noted he was happy to report that the Page's Beach Project "looks ahead of schedule and under budget".

It was also noted that the work on the Fitchburg Road water line extension will mean a lot of police detail work. He stated that two officers would be needed every day which will be very expensive.

Paicos noted that he attended a two day training course on the national Incident Command System and that every municipal employee has to attend one of these courses. He added that it's good training.

Paicos noted that the quarterly tax bills did go out thanks to a great job by the Tax Collector and the Assessor's office. He noted that some concerns were mentioned regarding a reminder to pay the second part of the tax bill on time. Gagnon suggested that we ask Stan at the Light Department to put a reminder in with the Light bills. Dennehy stated that they should make a note to remind people at the Board's meeting on November 1st. He also mentioned that we should look into paying these bills on line which would ease the workload on the staff here at Town Hall.

Dennehy asked Paicos to be sure to report on the savings generated from the Quarterly Tax bills in his revenue report and Paicos stated that he would be sure to do so.

Paicos then took a moment to read a commendation letter which he wrote to Sylvia Turcotte regarding an insurance savings for the Town.

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- C. **Public Safety Building Committee update:** Chris Gagnon gave the update noting that the Committee met recently and reviewed the architect's contract. He noted that they asked Kevin to work with the architect on a reduction and he managed to get a \$30k reduction. He noted that this was good work by Paicos. Kevin noted that Curtis Edgin is good to work with and he was quick to cut the fee by the \$30k amount because he's a real professional.

Gagnon noted that the condition of the site was discussed at a joint meeting last week and a list of concerns was discussed. He noted that the Committee was happy with what was done at the site. He noted that the next meeting is scheduled for August 11th with ConCom at the site to resolve their issues. He added that ConCom is the last hurdle to bring the construction site to a close.

Gagnon stated that the Committee is meeting on Wednesday, August 9th at 6:00 p.m. to discuss the cost of putting up a building. He also stated that they will wait until 100% of the Committee is present to vote on this and that they are looking at between \$4.3m and \$4.7m.

III. OLD BUSINESS

Continued discussion and vote on appointment of new Labor Counsel: Paicos noted that they want to appoint the law firm of Mirrick O'Connell as the Town's Labor Counsel and that he highly recommends them. He also stated that they would provide a great service to the Town and that they represent many towns including Auburn, Leicester, Westboro and Holden, just to name a few.

Dennehy wanted to clarify that this discussion is about Labor Counsel, not Town Counsel. He stated that he had checked around on Mirick O'Connell and that he heard positive things. He inquired as to whether this was an annual appointment and Paicos stated that it was but should be a 3-year appointment. Dennehy also asked about whether this will require a contract and Paicos responded that only a letter would be needed. Dennehy stated that they should start off this appointment with one-year and see how it works out. He noted that their hourly rate is a bit higher and that we should choose what projects we send to them and also keep Debbie Phillips in the loop as much as possible.

Dennehy motioned to approve the appointment of Mirick O'Connell as the Town's Labor Counsel for a trial period of one-year and was seconded by Carlisle. Motion carried.

IV. NEW BUSINESS

- A. **Appointment of Ashburnham's representative on the MOC Board of Directors:** Dennehy noted that Laura Arsenault has stated that she would like to serve again as our representative on the Montachusett Opportunity Council Board of Directors. Carlisle motioned to appoint Laura Arsenault for one year and was seconded by Gagnon. Motion carried.
- B. **Presentation and update from the Preliminary Building Use and Needs Study Committee for Briggs School:** Present were Mike Zapantis, Keith Glennly and Dave Christianson.

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Mike Zapantis distributed packets of information to the Selectmen as well as the members of the Advisory Board, Bill Johnson and Dottie Munroe who were present. He referenced the memo

dated July 11, 2006 which summarized the four motions made by the School Committee at their meeting on June 27th. He noted that the first two motions required a vote by the Selectmen and the last two are a reference point. He stated that this has been a fairly extensive preliminary study group and that the Statement of Interest form is the most important document as it will focus on the continuance of pursuing the building and renovation of the school.

Zapantis went on to state that Ashburnham is expected to have an increase in the school enrollment.

Dave Christianson stated that the sub-committee's intent was to gauge the sense of the community. He emphasized the data that was found stating that out of 1,817 buildings across the state, only 62 were judged in need of work and Briggs was one of them. He added that this was a demographic study based on current trends. He noted that they are now in the process of forming an actual building committee and this should happen by September.

Keith Glenny stated that the School Committee wants to be prepared before the July 2007 deadline date.

Carlisle made the motion to approve having the Chair of the Board of Selectmen sign the statement of interest form and Dennehy seconded. Motion carried.

Dennehy inquired as to the cost of the 21E inspection and Zapantis stated that there was no cost at this time. Dennehy asked about the avenue of funding for this and Zapantis stated that perhaps free cash could be used and it could be brought up at Town Meeting either this fall or next spring.

Keith Glenny stated that the first step would be to send out the RFQ. Dennehy asked if it would require a Town Meeting vote and Paicos stated that it might not once they find out what they really want. He added that he doesn't see this as a big problem.

Christianson stated that the environmental concerns should be put to rest first.

Dennehy motioned to authorize Supt. Zapantis to prepare the RFQ and to conduct the 21E or environmental study as required by the EPA. Glenny inquired as to whether MRPC would help and Paicos stated that they would, as long as they find out what exactly is wanted. Paicos stated that he would work with Zapantis on this to find out what is needed and go from there.

Dennehy then stated that he wanted to give an update on the ballot question voted on in June to fund \$150k for capital needs for the School District. He noted that this question on the ballot was written incorrectly with proposition 2 ½ wording, which was not the intent. He added that it was to pass a one-year exclusion.

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Dennehy also noted that the other problem was that DOR indicated that although it was intended as a capital exclusion, they stated that we are not allowed to do this. He noted that it looks like we've passed a permanent override which is good because no other vote is needed but bad because this was not our intent.

Glenny stated that the intent of the School Committee was to ask for \$150k for a one-year period in order to fund the school capital plan. Dennehy assured the School Committee that the

Selectmen and the Town Administrator would work together on this issue.

Paicos stated that the DOR has changed it's mind many times and that what they stated could change and we should wait to see it on paper. Gagnon noted that he would get their decision in writing. Glenny again stated that this needs to get resolved as soon as possible in order to get the capital issues done.

Dennehy thanked Glenny, Christianson and Zapantis for coming to this meeting.

V. APPROVAL OF MINUTES

A. **July 17, 2006 – Regular Meeting**

Carlisle motioned to approve the minutes for the July 17, 2006 Regular Meeting and was seconded by Gagnon. Motion carried.

B. **July 17, 2006 – Executive Session**

Carlisle motioned to approve the minutes for the July 17, 2006 Executive Session and was seconded by Gagnon. Motion carried.

C. **July 19, 2006 – Special Workshop Meeting**

Carlisle motioned to approve the minutes for the July 19, 2006 Special Workshop Meeting and was seconded by Gagnon. Motion carried.

VI. OTHER MATTERS

Dennehy noted a request was submitted by Joe Olivari, the Assistant Wiring Inspector, to consider making him a Special Municipal Employee. He stated that Town Counsel has looked at this and stated that the Selectmen should approve this because of Olivari's unique position in the Town. He noted that Olivari doesn't inspect his own work. Carlisle motioned to approve Joe Olivari as a Special Municipal Employee and was seconded by Gagnon. Motion carried.

Dennehy stated that the Board of Selectmen will meet on Wednesday, August 16th at 12:00 noon. He noted that this meeting is another workshop meeting for the Board. He stated that the next regular Board meeting will be on Monday, August 21st at 7:00 p.m.

Dennehy also announced that the next Public Safety Building Committee meeting is on Wednesday, August 9th at 6:00 pm. and the next Town Hall Renovation Committee meeting is on Tuesday, August 15th at 6:30 p.m.

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VII. EXECUTIVE SESSION

At 9:03 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 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 10:01 p.m., Carlisle motioned to adjourn the meeting and was seconded by Gagnon. Motion carried.

Respectfully submitted,

Sylvia Turcotte
Administrative Assistant