

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
SPECIAL WORKSHOP MEETING – AUGUST 16, 2006 – 4:00 PM
SELECTMEN’S OFFICE, TOWN HALL**

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

Jonathan called the meeting to order at 4:15 p.m. and began by stating that he would make the motion to not have these special workshop meetings videotaped. He noted that it would be of more benefit creating a more relaxed atmosphere where the Board members could speak more freely. Carlisle seconded this motion. Gagnon disagreed stating that this is a public meeting and the voters would be happy to see the Board working for them. Carlisle noted that the “fruits of our labor” should be proof enough and is validated already. Jonathan called for a vote: in favor – Dennehy and Carlisle, not in favor – Gagnon.

Jonathan then read the agenda which was approved unanimously by the Board. Kevin noted that a 5:30 p.m. adjournment time was agreed upon.

Jonathan stated that before they started on the agenda, the Board was asked to approve the ballot for the State Primary on Tuesday, September 19, 2006 from 7:00 a.m. to 8:00 p.m. at J.R. Briggs School. He then proceeded to read the warrant. Mark motioned to approve the warrant ballot and was seconded by Chris. Motion carried.

Chris then took this opportunity to give the Board a recap of what transpired at the hearings that he attended during the day. He stated that Verizon is attempting to change the law on contract negotiating timeframes. He asked if the members of the Board would approve a draft letter on Town letterhead with the Town’s opinion against this change. Jonathan asked about the timeframe now and Chris responded that he thought it was 6 months.

Jonathan asked if there were any arguments in favor and Chris stated that it was mostly from cable manufacturing companies. He went on to say that Verizon would need to provide customers with competitive products market-wide and most towns were for it.

Kevin stated that this is a ridiculous legislation. He also stated that we would want to license Verizon the same way that we do Comcast Cable.

Jonathan motioned to allow Chris, on behalf of the Board of Selectmen, to draft on Town letterhead, the Board’s opinion against the Verizon legislation and was seconded by Mark.

Item #1 on the agenda, review of the DOR opinion regarding the School Department Capital Exclusion Override, was the next item for discussion. Jonathan read the e-mail from Kathleen Colleary, Chief of the Bureau of Municipal Finance Law. He noted that this basically means the DOR has said technically under the law that this was not possible as a capital exclusion. He stated that the bottom line is that the Town Meeting vote and the ballot was approved as a 1-year tax levy as an exclusion.

Kevin asked the Board if they wanted to officially file permanent legislation to amend this allowing us to do this again? Chris suggested doing something with the Town of Westminster Board of Selectmen as a school district. Dennehy made the motion to ask the Westminster Selectmen to help compose a letter of support. He added that this would be an independent initiative to hold the school district responsible with the Board of Selectmen having veto power.

Kevin stated that they should get the legislation filed and passed before next year’s town meeting. He added that they should have Town Counsel re-do the draft letter and have it sent to DOR, then to Westminster, the School District and the MMA, to get it moving quickly and in the hopper in time.

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Jonathan motioned to get things filed and a letter to Westminster for the letter of support. Mark seconded and the motion carried.

The second item for discussion on the agenda was to review the new draft of the Selectmen's Policies. The first policy was the Flag Policy. Jonathan stated that there was a typo on the Flag Policy. Where it is listed River Styx Way, it should be River Styx Road. Sylvia said she would fix this error.

Kevin stated they have already received a check from the Lions Club towards the flags in the amount of \$500 which he added was very generous. He also noted that he would like the Board to take final action as Veterans Day is not that far away and they have to get all the brackets on the poles.

Chris stated that this is a great starting policy which can be amended later.

Jonathan motioned to approve the policy with the typo correction and was seconded by Mark. Motion carried.

The second policy was the Road Race Policy. Kevin said that they could go over the sample policy today or take it under advisement. He added that he took this policy from Easton and that he had compiled it years ago. Jonathan inquired if there was any part where the police and fire are asked for approval and Kevin stated that it is located in Section 7 of the policy. Chris stated he was happy to see that the policy also included the clean up. Kevin stated that the police officer would be paid in advance as well. Jonathan questioned Section 8 as Route 12 is considered a state road and that this should be checked into.

Chris wanted to know why the schools are exempt and Kevin stated that the Board could waive the fee for the schools, "as it is your policy". Chris stated that they shouldn't offer exempt status to the school and Kevin stated that he would amend the policy with this change on the next agenda.

Jonathan suggested that a policy be implemented on the Board of Selectmen agenda. He added that this would give the public an expectation on being on the agenda to reiterate that the Board has control on the meetings. Kevin stated that he is working on this.

Chris inquired about the Ballot Structure Policy and Kevin stated that he would work on it and look on the web and draft something.

Jonathan stated that he would like to have Kevin put together an annual calendar of things that happen every year, such as budget and town meetings. Chris stated that the school has this in place and it works really well for them. Jonathan stated that they could do something similar but also on the Capital Plan and Town Meeting articles. Kevin added that this would be very useful for him. He stated that they should do a draft first and that it will work better than brainstorming at working meetings.

It was also noted that Kevin is working on a timeframe policy to submit articles for Town Meeting.

The third agenda item was to review the Administrator's FY06 Self Evaluation. Chris stated that this is an integral part and a piece that needs to be done in the review process. Mark agreed and stated that it is great as a part of the total Town Administrator evaluation.

Jonathan suggested that in some part Kevin should give the Board an outline of what he plans to do in the future. Kevin stated that he has started working on this in his Goals & Objectives report which he has given them.

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Kevin stated that the bad news on this report is that it's a lot of work and time consuming the first time but the

good news is that it will then be easier each year after. He noted that he is using this as a template for the Department Heads as well and that it becomes a good tool.

Jonathan stated that he has two suggestions. He stated the first would be anticipated completion dates on some projects. He noted that he would like to see proposed completion dates for all listed items. He stated that it would be helpful and would give them an understanding of the flow of work for both Kevin and the Board. Kevin stated that he would put this in an excel format.

Jonathan stated that his second suggestion would be to categorize each item such as financial, annual projects in one section and others in another with projects not being repeated.

Kevin asked if this would be helpful and it was a unanimous yes. Kevin stated that he would get a final draft to them in four or five weeks, done by mid September. He added that he is trying to build a template for all department heads as well.

Regarding item #4 on the agenda, Kevin stated that the Board has to decide how to do the Town Administrator FY06 Evaluation. He suggested that for this year, go over narratives, strengths, weaknesses and what is expected by the Board with this format. He noted that it is already too far in for this year.

Jonathan stated that he had some concerns about performing Kevin's evaluation in open meeting. Kevin stated that he had no problem having his evaluation discussed in public. He added that he is happy either way.

Chris stated that he would like a scoring method with a narrative for now. Kevin suggested that each member does a scoring and then have the Chair do an average and then it could be done in public. He also noted that comments can still be given without airing it all but that it needs a public process.

Jonathan proposed that the three members compose their own thoughts rating system, email it to each other and then he would compile in an amalgamated score and then air. He also noted that everyone should use the same format.

Chris stated that the MMA standard format is a good one to work with as each section has questions. He also noted that the Town of Ipswich had a good format and it may be the better one. Kevin noted that this one is extremely highly regarded across the State.

Jonathan stated that he liked the MMA form better and Mark stated that they could use this one for this year and then maybe put the two together some how for next year. Jonathan stated that they should each do their rating form electronically and then email them to him. He also noted that he would do a composite and take an average.

Chris asked if this could be done in executive session and Kevin stated that he wasn't sure and would have to check adding that he had done it in open session before.

Jonathan stated that he would amalgamate them and do the evaluation in open session at a regular scheduled meeting, as the public would like to see this.

Jonathan inquired if there was anything for an agenda on Monday August 21st and Kevin stated that there really wasn't anything that couldn't wait. He did note that permission for a road race was the only item.

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Chris noted that this race was being held on the mid-state trail which also would be on some personal property. Kevin stated that permission constitutes upon property owners.

Chris motioned to approve the request sent to Town Hall to organize a small running event on the Mid-State Trail

on Saturday, May 12, 2007, with a condition that if the race goes over private property the runners need permission from the property owners. Mark seconded. Motion carried.

Jonathan then stated that there would be no meeting on Monday August 21st and that the next meeting would be on Tuesday, September 5th due to the Labor Day holiday on Monday.

Jonathan inquired if the appraisals would be back by then and Kevin stated that they should all be back by the first or second week in September.

It was noted by Kevin that MRPC would be holding a public hearing at this meeting of September 5th on an amendment to the grant due to a surplus on the Pages Beach project. He added that the surplus could be between \$20k or \$30k and he also noted that the hearing should last no more than 15 minutes.

Kevin also stated that he would call the appraisers and let them know that we need the appraisals by September 5th and noted that the Piano Museum appraisal should take a good amount of time. Kevin also noted that the Board may want to meet in executive session before September 5th to review the appraisals first, as this needs to be a two step process.

Jonathan stated that on September 5th they would have executive session to review the appraisals and then bring them up at the next meeting.

Jonathan questioned a memo on dam safety inspections and Kevin stated that this is an unfunded mandate. He added that we would be looking at \$3 to \$4 million dollars to do this and he also noted that this same letter was sent to all dam owners. He noted that he would send a letter back stating that it's an unfunded mandate.

At 6:05 p.m. Mark motioned to adjourn the meeting and was seconded by Chris. Motion carried.

Respectfully submitted,

Sylvia Turcotte
Administrative Assistant