

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
FEBRUARY 6, 2006
SELECTMEN'S OFFICE, TOWN HALL**

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

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

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

Dennehy stated that the Board needed to vote on a Tax Revenue Anticipation Note in the amount of \$1,250,000. Reed made the motion and was seconded by Carlisle. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

- A. **Public Hearing – CDBG Activities Update:** (Shelly Hatch and Ann Carraba of MRPC were present.) Dennehy read the notice:

“The Town of Ashburnham Board of Selectmen will conduct a Public Hearing on Monday, February 6, 2006 at 7:00 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, and the Page Beach Water Line Project
- FY06 Grant Application: Which may include a regional housing rehab grant with the towns of Townsend and Ashby
- Community Development Strategy
- Any other grant related issues

Any persons or organizations wishing to participate or have comments are strongly encouraged to attend or contact the Board of Selectmen.”

Reed motioned to enter into the Public Hearing to discuss the CDBG activities and was seconded by Carlisle. Motion carried.

Shelly Hatch of MRPC then proceeded to give the Board an update on the CDBG FY03 Grant. She stated that all 3 towns, Townsend, Ashby and Ashburnham, exceeded the unit goal: Townsend assisted 17 units, and Ashby and Ashburnham assisted 15 units in each, for a grand total of 47 units.

Hatch then stated that in FY04 we were not funded, but that in FY05 a grant was awarded in the amount of \$600k, with each town receiving \$160k, to address approximately 5 units in each town. She added that the Town received reserve funds from DHCD to install new water lines in the Page Beach area and that this work will begin in the spring.

Hatch stated that the CDBG FY06 Grant applications are due in Boston on March 29, 2006. She added that MRPC will be submitting a new grant application on behalf of the Town of Townsend to continue the housing rehabilitation program and the Town of Ashburnham needs to make a decision as to whether they would like to continue participating in the program. Hatch also mentioned that this year's application has some revisions. She stated that she has distributed copies of the requirements for this application for the Board to review as well as a copy of the previous Community Development Strategy that was submitted by Ashburnham.

Hatch stated that right now they already have 12 applicants on the waiting list. She added that after the year 2008 Ashburnham will be eligible for these grants every other year.

Hatch stated that the handout (attached) lists what should be done such as listing projects by priority and added that another meeting should be set up to start this process. Reed stated that the Town Planner, Eric Smith should look at this information before the next meeting on Tuesday, February 21st. Paicos stated that if Glenn Eaton could get the paperwork to him then he would review this with Eric before the next BOS meeting on February 21st.

Dennehy asked for a motion to participate in a new grant with the towns of Ashby and Townsend. Reed made the motion and was seconded by Carlisle. Motion carried.

Carlisle motioned to reconvene the public hearing to the BOS meeting on Monday, March 6th and was seconded by Reed. Motion carried.

- B. Tax Classification Hearing:** (Dick Coswell of the Board of Assessors was present) At 7:25 p.m. Reed motioned to open the Tax Classification Hearing and was seconded by Carlisle. Motion carried.

Coswell stated that there are still questions on the final values and he couldn't say when the approval would come. He added that 260 properties had to be adjusted and what went in last year as values were the 2004 amounts which was a mistake as it showed a 20% increase instead of the 10%, which was questioned. He stated that they don't know how this happened.

Reed stated that the Board may have to make some calls as this has gone on for too long. Coswell stated that they should wait another week because that everything was done on time and submitted. Reed stated that the Town can't keep borrowing like this.

Paicos stated that he would call the Commissioner of Revenue the next day to find out what's wrong. Dennehy stated that this has to end and said that a meeting should be held either here or in Boston with them to get this finalized. He added that it was a good course of action to have Paicos call and then set up a meeting if necessary.

Paicos stated that he would call in the morning, stating that he has been patient for long enough. At 7:47 p.m., Carlisle motioned to continue the Tax Classification Hearing to the Board's next meeting on February 21st at 7:00 p.m. Reed seconded and the motion carried.

- C. **Fire Chief's response to complaint re: Russell Hill Road fire:** Fire Chief Zbikowski stated that this was the first time in 12 years that he was called in to discuss a fire. He stated that this particular fire took place at 149 Russell Hill Road. He then proceeded to read a narrative explaining what occurred.

Dennehy stated that he was approached with concerns as to how this was handled, in particular, the water source. He asked if residents should be calling him to ask about this and he responded that they should, at any time. He added that the new pumper, which will be delivered at the end of February or the beginning of March, will have the capacity to hold 5,000 gallons of water, which would answer the water questions.

Carlisle inquired as to what kind of money would be required to upgrade the hydrants in town and Zbikowski responded that it would be, between \$1,500 to \$2,000 per dry hydrant, but that many are on private property which becomes an accessibility issue.

Reed asked if the Chief would recommend the replacement of these hydrants and he stated that he would if he was asked to do so.

- D. **Town Administrator's Update:** A copy of the update is attached to these minutes.

Paicos stated that the Boutwell Issue is going forward and that a meeting with the 21J Board has been set for Thursday, February 23rd at 10:30 a.m. in Boston.

Paicos stated that a Town Hall Renovation Committee meeting has been set for Monday, February 13th at 6:00 p.m. Reed added that the proposal from Kang Associates has come in and with the upgraded cost this project is still under the bid amounts for FY07.

Paicos stated that he would announce the choice for the Treasurer position the following day.

Paicos stated that Robert Salo had submitted his resignation from the Planning Board and added that he did a great job and he would be missed by the board members.

Paicos then said that he had some good news. He stated that we were due \$450k from the State for Bush Hill and he had sent a letter complaining on how long it was taking. Paicos also sent a letter to Senator Brewer's office asking for his assistance. He added that thanks to Senator Brewer's efforts we now have the check, stating that it has been over a year that we've been waiting. He added that Jennifer Soper did a great job as well and that he would send a thank you letter to her and to Senator Brewer's staff for their assistance.

III. OLD BUSINESS

- B. **Governor's Local Aid Proposal:** Dennehy stated that we need to push this because it's our money and we want it back. He stated that it's a matter of priority.
- A. **Public Safety Building Project Status:** (Many residents were in attendance) Dennehy stated that this was voted on two weeks ago and did not pass and that now decisions have to be made.

Dennehy stated that today the contractor and sub-contractors agreed to hold the bid while we go back to ballot or go back and redesign the entire building.

He added that this is a difficult decision to make. He stated that on the pro-side the vote was only lost by 45 votes; but on the con-side they have voted already and said no and we should come back with a different scenario.

He stated that at this time they would hear from different residents with their opinions. He added that the Building Committee submitted a letter stating that they voted last Wednesday to put the project back to the voters as it is.

Carlisle stated that he wanted to set the record straight by saying that Dennehy shouldn't have taken the hit he did at the public forum last week being accused of not carrying a coalition. He added that he was on the committee and he should carry this. Dennehy stated that his goal is to do this as a community and he thanked Carlisle for this statement.

Paicos stated that he conferred with Town Counsel as to what would need to occur to have a revote and he was told that there are two ways; one a majority vote of the Board of Selectmen and two, a petition by 200 voters within 90 days of the Town Meeting which would be no later than April 12th, and we should go the prior week to be safe. He added that the Town Clerk needs a 35 day notice as well. He noted that one of the two items needs to occur no later than the 1st or 2nd week of March.

Pixie Brennan was the first resident to comment and stated that the dates set for the STM and the Election didn't allow sufficient time and because of the loss bid now, this is an issue which is very contradictory.

Paicos stated that since a negative vote had occurred, the contractor agreed to extend the bid to no later than the end of March. Dennehy stated that we are at the contractor's mercy. He added that from now going forward, we need to be sure everything is clear and correct. Paicos stated that the contractor doesn't care about our politics and he is only interested in his profit and is looking strictly at his bottom line.

Chris Gagnon stated that it's interesting that a contractor can hold his bid for so long with the escalating costs of things. He added he is fully in support of a public safety facility for the town but he feels it is wise to consider a redesign.

Art Johanningsmeier, another resident of Ashburnham, stated that he was at the meeting to ask residents to consider another vote because the voting numbers were so low. He added that a project this important should have at least half the voters for or against it. He stated that only 17% of the registered voters, was a small number of people. He added that the committee has worked very hard for two years on this project, which would last 40 to 50 years.

Johanningsmeier went on to say that he wants to put this on the ballot again. He asked how long we can operate in town without a facility, stating that we could be looking at an increase in our insurance as a result. He also stated that Cushing's facilities may not be available to us after July 1st.

Pixie Brennan stated that everyone had ample information and it was their choice not to vote. Another resident stated that the voters need to be respected and a new sub-committee should be appointed to look at this with new eyes.

Dennehy stated that if we go back to vote, it has to be with the same project and numbers.

Bob Fichtel, stated he agrees that everyone was well informed and added that there are no circumstances to consider a revote and stated that for a one ballot issue, this was a good turnout at the polls. He added that your vote should count.

Johanningsmeier stated that the people were not aware of the future costs and the potential insurance issue.

Ellen Holmes, one of the Public Safety Committee members, stated that the committee was asked for a recommendation on a revote. She stated that a redesign was discussed but was not feasible and a renewed program would not address all the needs.

Holmes also stated that the committee did not dismiss the peer review but that it was not sufficient to pull the bid. She added that the committee feels strongly that a revote should occur only if the community is behind it.

Reed stated that he had a few points to make. Number one – it's ironic that the contractor wants to hold the bid; two – he wants the cost of the shell of the building and is not in favor of re-voting. He added that the committee should come up with the cost of the garage portion and get it built and then ask the architect what a \$6.2m garage would look like. He then asked if this would be legal and Paicos stated that we would need a redesign from the architect with the cost for the shell and we would need a redesign program for the building. Paicos added that this could take until perhaps November because it can't get done in less than 6 months.

Reed stated that a meeting should be set with the architect and the committee. He added that we should get the garage portion done first and then go from there.

Carlisle stated that this facility is programmed with the needs of the departments and you can't take the existing program to do this. He added that the Board of Selectmen needs to decide on a revote, and if not, then start a re-design. He stated they should take no longer than a week to decide.

Dennehy stated that it's a difficult decision and that in his opinion he has mixed emotions and doesn't know if we can wait. He added that a meeting with the architects and the building committee should be set as early as possible. He stated that we need to explore every possible avenue.

Paicos suggested that the design architect as well as the peer architect should attend this meeting.

Dennehy thanked everyone in attendance for expressing their opinion on this matter.

IV. NEW BUSINESS

- A. Letter from Director of Executive Office of Public Safety:** Paicos explained that the Board is being asked to state that the town uses NIMS and that the Chair needs to sign the form attached to their letter and return it with a copy of the minutes from this meeting showing the board's vote.
- B. Snow & Ice over-expenditure approval:** Paicos stated that the Board needs to vote to approve this and that it comes off the top of the next year's budget. Reed motioned to approve the Town Administrator's recommendation and Carlisle seconded. Motion carried.

V. APPROVAL OF MINUTES

- A. January 17, 2006 – Regular Meeting**
Carlisle motioned to approve these minutes and was seconded by Reed. Motion carried.
- B. January 17, 2006 – Executive Session**
Carlisle motioned to approve these minutes and was seconded by Reed. Motion carried.
- C. January 30, 2006 – Special Meeting**
Carlisle motioned to approve these minutes and was seconded by Reed. Motion carried.

VI. OTHER MATTERS

Dennehy read the list of offices to be filled at the Town Election on April 25, 2006:

<u>Office</u>	<u>Term</u>	<u>Incumbent</u>
Moderator	1 year	David P. Uminski
Board of Selectmen	3 years	Ronald W. Reed
Board of Health (2)	3 years	Robert L. Hamelin F. John McLaughlin
Board of Health (1)	1 year	Scott M. Sibley
Planning Board	5 years	Bruce E. Whitney
Library Trustees (2)	3 years	Melanie M. Gallo Joan S. Hathaway
Municipal Light Board	3 years	Kevin A. Lashua

Dennehy added that there would be another Planning Board vacancy added to this list due to Salo's resignation. He added that the Town Caucus would be held on Monday, February 27, 2006 and if anyone is interested in running for any of these offices they should come to the caucus to be nominated there. This would mean that they wouldn't need any signatures to be nominated.

Dennehy wanted to remind residents to vote on Tuesday, February 7th for State Rep. He said it's important and it could be an historic election if someone is voted in from Ashburnham.

Dennehy stated that the next meeting would be held on Tuesday, February 21, 2006 at 7:00 p.m.

VIII. EXECUTIVE SESSION

At 9:33 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 contract negotiations with non-union personnel and not to reconvene into regular session.

IX. ADJOURNMENT

At 10:30 p.m., Reed motioned to adjourn the meeting and was seconded by Carlisle. Motion carried.

Respectfully submitted,

Sylvia Turcotte, Administrative Assistant