

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
FEBRUARY 20, 2007
SELECTMEN'S OFFICE, TOWN HALL**

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

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

I. APPROVAL OF AGENDA: At 6:48 p.m., Dennehy read the agenda. Carlisle moved to accept the agenda and was seconded by Gagnon. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

A. **Introduction of new DPW Director – Don Ouellette:** Don Ouellette and Linda Ramsdell, Interim Town Clerk were in attendance.

Kevin Paicos introduced Don Ouellette to the Board. He stated that they had 30-40 applicants for this position and that Don was by far the unanimous choice with an impressive resume in the Public Works field. He noted that what impressed the Committee the most was his style of managing.

Paicos stated he was very grateful to the screening committee which included John MacMillan, Joe Kalagher, Chief Barrett and Bill Johnson.

Dennehy stated that the Interim Town Clerk, Linda Ramsdell was in attendance to swear in Mr. Ouellette as DPW Director/Town Engineer and she proceeded to do so.

At 6:55 p.m., Dennehy stated that they would briefly adjourn for approximately 10 minutes for refreshments and to give everyone an opportunity to meet Don Ouellette. He noted that they would reconvene at approximately 7:05 p.m.

The meeting was reconvened at 7:10 p.m.

B. **Correspondence**

Dennehy noted that at the last meeting it was noted that Paicos sent a letter to the State Auditor regarding the dam repair mandate and that they responded to his letter. The Division of Local Mandates stated that they would study the issue and get back to us.

Dennehy also read a notice from Chief Barrett stating that he is going to attend a leadership training session in Connecticut the following week. Chief Barrett was in attendance and stated that there would be many prominent speakers at this training session.

C. **Town Administrator's update:** The TA update report is attached. Paicos touched on the Fitchburg Road Water Main Project by stating that a meeting was set with the concerned parties on this for Tuesday, February 27th.

He also touched on the Town Hall Reconstruction Project stating that the architect and the Town are having a difficult time coming to an agreement on her contract. He noted that she submitted a standard AIA contract and the Town can't sign this as is.

Paicos also noted that he won't allow himself to be pressured into signing a contract which would not be in the best interest of the Town. He added that if the architect becomes more flexible then it would be a different situation. Dennehy inquired as to when this would be determined and Paicos stated that this may never be the case but that the architect is doing a terrific job right now.

Gagnon noted that the Town's by-law Chapter 7 Section 3 may require a contract, and that this discussion probably should be in Executive Session. Paicos stated that's fine, but the by-law is inconsistent with the State law and may have to be changed.

Carlisle stated that if there's a flaw in our by-law, then we need to correct it and added that our number one priority is to be sure the Town isn't held in jeopardy. Dennehy also agreed with Carlisle stating his concern to know if there's a problem and to take care of it.

Paicos stated that he wanted to reassure the Board of Selectmen that right now it is a legally binding agreement and that he is comfortable with this for now. He added that this is just not a priority.

Dennehy stated that if it is significant then we need to look into this and should discuss it further in Executive Session to figure out what we need to do.

Paicos touched on the FY07 budget noting that the only area of concern is the Water/Sewer deficit and added that a rate hike would solve this. He noted that so far things are going well and that he is looking at it very closely. He also added that both chiefs are working hard, doing an outstanding job of controlling overtime.

Paicos also noted that the FY08 budget is still not balanced and that he is still working on it.

Bill Johnson, Advisory Board Chair noted that Kevin met with the Advisory Board and that he wanted to publicly thank him for his efforts. He added that now the Advisory Board has a better understanding of things.

Gagnon noted that he met with Don Ouellette and discussed the Landfill Closure Monitoring issue stating that Stantec has completed the applications, about 97% for the license. He added that he is working with Jim Zarozinski and Don Ouellette to get the landfill/transfer station up to speed. Paicos stated that Gagnon has been very helpful with this issue.

- D. Public Safety Building Committee update:** Gagnon stated that they are on hiatus right now. He noted that the sub-bids deadline was this Wednesday and that the architect stated there was such a large response that they extended the deadline to February 28th at 1:00 p.m. He also noted that the Committee is scheduled to meet on Thursday but that it may be postponed due to the extended deadline.

III. OLD BUSINESS

IV. NEW BUSINESS

- A. Annual Town Meeting/Budget Schedule:** Dennehy stated that Paicos put together a schedule for the Board and he proceeded to read the list (attached). Dennehy noted that traditionally they have a couple of joint meetings with the Advisory Board, which may include Department Heads. He noted that the Advisory Board is ultimately the governing body. Bill Johnson stated that they would meet with some of the department heads and that everyone is invited to attend these meetings.

Dennehy stated that this schedule looks like a good framework but it is not cast in stone meaning that it's good for now but may change.

Paicos stated that the Selectmen need to take a vote on closing the ATM warrant. Johnson stated that the Advisory Board wants to get all the articles as soon as possible to be sure to have the appropriate amount of time to review them.

Carlisle motioned to close the ATM warrant on Friday, March 2, 2007 at noon and was seconded by Gagnon. Motion carried. He added that this means the deadline to submit articles for the ATM is Friday, March 2nd at noon.

V. APPROVAL OF MINUTES

A. February 5, 2007 – Regular Meeting

Carlisle motioned to approve the minutes of the February 5, 2007 Regular Meeting and was seconded by Gagnon. Motion carried.

B. February 7, 2007 – Special Meeting

Carlisle motioned to approve the minutes of the February 7, 2007 Special Meeting and was seconded by Gagnon. Motion carried.

VI. OTHER MATTERS

Dennehy stated that the Town needs to meet the requirements of the American Disability Act in order to allow persons to file a grievance. Once this is done, then the Town needs to appoint Mike Gallant as the ADA officer. Paicos noted that Lori Capone, ConCom Agent is on top of this and will follow through.

Carlisle motioned to approve the ADA Grievance Procedures and was seconded by Gagnon. Motion carried.

Dennehy stated that the next regular Board of Selectmen meeting would be on Monday, March 5, 2007. He also noted again that Friday, March 2nd at noon was the deadline to submit warrant articles for the ATM.

There was a short discussion regarding the architect's contract for the Town Hall Renovation project and whether this would be considered an executive session topic. It was decided that the Board would peruse this issue and then discuss it further at the next meeting.

VII. EXECUTIVE SESSION

At 8:05 p.m., Carlisle motioned to enter into Executive Session to deliberate upon matters which, if done in open meeting could detrimentally affect the position of the Town regarding strategy of pending litigation and not to reconvene into open session. Gagnon seconded and the motion carried.

VIII. ADJOURNMENT

At 9:17 p.m., Carlisle motioned to adjourn the meeting and was seconded by Gagnon. Motion carried.

Respectfully submitted,

Sylvia Turcotte
Assistant to the Town Administrator