

**TOWN OF ASHBURNHAM  
BOARD OF SELECTMEN MINUTES  
JANUARY 8, 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, Bill Johnson, Chair Advisory Board, as well as Leo Janssens, Dottie Munroe, Marie Zbikowski, Jim Peidrafite, Belden DiVito and Sylvia Turcotte, Assistant to the Town Administrator.

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 and was seconded by Gagnon. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

A. **Correspondence:** No significant correspondence.

B. **Town Administrator's Update:** The report presented at the meeting is attached.

Paicos noted that the Public Safety Building issue that had transpired recently should not be discussed publicly per Town Counsel.

Paicos noted that he recommends the Board have their discussion on the sewerage issue and hold off on making a public decision on the agreement with Gardner before they pursue anything further on the letter submitted by Mark Dymek and his 40B proposal.

Dennehy stated that the public has a right to know but that he does agree with Paicos on the decision and that it should be discussed in Executive Session. Paicos stated that he would put out a memo outlining the issues and options.

He then discussed the Piano Museum lease situation noting that he distributed a memo to everyone on the investigation of the Piano Museum by the Inspector General's office. A copy of this memo is attached to these minutes.

Dennehy noted that this is a priority and should be resolved at the earliest convenience. He added that the Board is looking for a positive solution to this and that they recognize the intent of the original agreement between the Fredericks and the Town and this should be honored and that this was his message to Town Counsel. Paicos wanted to note that if anyone knows where the missing information on this is, they should please let them know.

Paicos proceeded to item 11 on his report, the Non-Union Personnel Pay Plan. He stated that the Board of Selectmen reviewed the prepared report in Executive Session and the Board asked him to review and explain how the pay plan was compiled. He stated that the reasons for this new pay plan were; 1) we found out that we were not competitive in our wages and 2) the Personnel Plan had not been revised since 1995.

He went on to state that the steps that made up this final report were as follows:

- a job audit was performed
- job descriptions were compiled
- a point matrix system was set up
- each position was evaluated and classified
- surveys were done and compared - benchmarking

Paicos noted that they took the 50 percentile average and realized that the non-union wages were extremely poor in comparison. He added that recent hires wouldn't get much of an increase because they were hired at a competitive rate.

Paicos stated that the pay plan has been adopted by the Board of Selectmen. He noted that they will need to calculate the retro pay back to July 1<sup>st</sup> and calculate the fiscal 08 pay plan. He also noted that the union employees are all on contracts and that basically all employees are now on a fair wage plan. He added that the Town won't lose any good employees now.

Dennehy noted that this was something that was discussed at the Town Meeting and it was supported. He stated that he feels now is the time to give support to our non-union personnel and that now we'll have equity between positions. He also noted that with the revenue forecast the way it is, we may not be able to do this in the future.

Gagnon added that it was stated in the personnel plan that this pay plan should be done in a timely manner. Dennehy stated that the merit plan has not been presented yet and that this is considered Phase II of this plan. He added that they will have to put together a policy on merit pay.

Paicos stated that the cost of the initial plan will be \$80k split by 40 people. He stated that \$25k is already set aside by Town Meeting and would be used to supplement the smaller departments and \$40k would be through the enterprise fund for water and sewer, with the remainder to be absorbed by the larger departments.

Dennehy noted that the impact in FY08 of the new pay plan wouldn't be as large and Gagnon added that the merit portion hasn't been decided. Paicos agreed but stated that the merit portion should be done for next year.

Gagnon questioned the concept of contract employees and Paicos noted that the Town Charter prohibits contracts other than the Police Chief, Fire Chief and Town Administrator. He noted that a contract for the Town Accountant was in the works.

Dennehy stated that this was discussed in Executive Session because some of it was sensitive on employee wages. Paicos stated that the Pay Plan is 90% done, noting that two job descriptions are missing so the consultant has to re-do some of the pages. He added that the list of wages will be published in the Town Report and copies will be made of the plan.

Dennehy stated that they will have very thorough discussions on the merit pay issue before it is implemented. Paicos stated that absolutely no lay-offs will happen because of this.

Paicos also stated that the criteria used for this new pay plan was based on town population of 5 to 10k, median salary of between \$60-\$120k and a Town budget of \$12m and \$24m.

Gagnon noted that the merit pay system will be discussed in open session and Paicos stated that it would.

Dennehy noted that the State is facing a \$1B deficit at this time and this will affect us making it a challenge next year. He added that local revenue will be impacted by slow real estate transactions. He also noted that there will be many tri-board meetings on budget issues and added that the school may be looking for an override. He stated that he will be meeting with our State legislatures to discuss this issue.

- C. **Public Safety Building Committee update:** Chris Gagnon stated that the Committee met last Thursday and the latest cost estimate is \$4,744,000, with \$4,309,000 for the building itself and \$435k for site work. He noted that they have been able to trim some dollars and Larry Barrett is working on this. He noted that if bidding is competitive there is a potential that it will come in lower. He stated that they have five alternates, listing them as follows: Alternate 1 – Police lockers area; Alternate 2 – finish the Training room; Alternate 3- add prisoner cells; Alternate 4 – fire lockers; and Alternate 5 – dress exterior with masonry dressing.

Gagnon also noted that by January 30<sup>th</sup> they should have 100% of the drawings, between February 20-28 the filed sub-bids should be returned, between March 10-15 full bids returned, end of March the awarding and by mid-April the shovel in the ground. He added that the Architect has been very helpful and the building looks good.

Dennehy stated that the bottom line is good noting that the costs are good enough to go out to bid which is tremendous good news. Gagnon noted that the bays would be ready to use first. He added that there will be 22,024 square feet of space at \$195.65 per square foot totaling \$4,309,031.

### III. OLD BUSINESS

- A. **Final review and vote on the Special Town Meeting Warrant:** Dennehy began the discussion on this agenda item by stating that a citizen's petition was submitted to be placed on the warrant for the Special Town Meeting. He read the petition as follows:

“We, the undersigned voters of Ashburnham, MA. hereby petition the Selectmen of said town of Ashburnham to include an article on the warrant of the January 2007 Special Town Meeting to postpone interior renovation work on Fairbanks Memorial Hall until such time as the projected Public Safety Building is completed, on the grounds that one project should be finished before another is undertaken.”

Dennehy noted that Bob Fichtel had been asked to represent those who signed the petition and speak on their behalf. Fichtel stated that the reasons are valid points for discussion, adding that he wanted more information on projects going on in Town.

Pixie Brennan stated that the reason is not because they are against the Town Hall Renovation but that there are too many items before the taxpayers at this time. She noted that there are too many things going on to feel comfortable and they need an opportunity to absorb one at a time and that it's a matter of prioritizing the likelihood of things going wrong.

Ron Reed, a member of the Town Hall Renovation Committee was present and stated that his personal opinion is that there is misinformation out there and that it would be good to go out to bid at the same time as the Public Safety Building as they could get a better price. He also noted that by delaying this project it would cost the Town money. He stated that they can't have people working inside while things are being done outside and added that the wisest thing would be to continue with the bid process.

Christina Sargent, also a member of the Committee stated that this will go before the Town Meeting on January 24<sup>th</sup> for discussion and that the committee would be meeting on Tuesday.

Dennehy inquired as to the legalities of the citizen's petition and Paicos stated that the petition must be placed on the warrant as it was submitted on time.

Maggie Whitney inquired as to how much both projects would cost the taxpayers and Paicos stated that he looked into that and on a \$6.5m bond for the Public Safety Building Project the tax impact could be determined by many different factors. He noted with an interest rate of 5¼% the tax impact would be approximately \$.75 per \$1,000 and that this would be based on 20 years and level debt. He added that the worst case scenario would be that the value of the Town would increase each year as that would change the tax impact. He added that the \$2.7m bond for the Town Hall Project tax rate would be \$.30 per \$1,000. He noted that combined it would be \$1.05 per \$1,000 but that by the time it is actually done, it should be significantly lower.

Carlisle inquired as to the total budget of the exterior of the Town Hall project and Reed stated that he was not comfortable to estimate it. Carlisle asked if 6% was a reasonable number for cost escalation and if we hold off for a year on the interior what the percentage would be.

Ed Vitone stated that the petition had some valid questions but that they should be specific in the bid process and make a good decision.

Paicos noted that the bid process in Massachusetts doesn't allow projects to be split and if it is done we would have to pay the architect to do separate bids. He noted that the Town Hall Construction cost would escalate 8% per year which would amount to a loss of \$200k a year. He also stated that the architect would have to design new plans which would be an additional cost to the Town.

Paicos also wanted it noted that the stated form of the motion of the petition submitted is not binding per Town Counsel.

Dennehy stated that they would need an opinion in writing on her finding. Paicos stated that she would have no problem doing that.

Paicos stated that we have already borrowed money on this and Dennehy stated that unless the people of the Town want to rescind the money already voted on then the Board has to go forward. He added that it is worthy of discussion on Town Meeting floor and the petition is on the warrant.

Reed stated that he agrees with Kevin's opinion that he can't imagine stopping the project if it comes in under bid.

Dennehy stated that the petition has been legally certified and would be on the warrant. He added that they would learn more about the binding effect from Town Counsel.

At this point Dennehy stated that they would review the Special Town Meeting Warrant and he asked Paicos what had changed since the last meeting.

Paicos noted that *Article 19* was added and *Article 2*'s wording was changed to the Oakmont Regional High School renovation fix.

Dennehy stated that they would discuss *Article 15* first to accommodate Ed Vitone, who was invited to answer any questions that might come up. Paicos stated that the Town is forgiving the overdue taxes of \$32,358.46 as of 12/26/06 on the property in question. He noted that if we didn't donate this property we wouldn't be able to sell it for the back taxes. Dennehy stated that he feels strongly that the Town not jeopardize the agreement with Habitat.

Ed Vitone stated that the perk tests didn't pass on the property that Habitat originally took possession of and he added that the properties need to be combined into one lot in order to build.

Bill Johnson noted that once this is done, then the Town would put this back on the tax roll. A motion was made by Gagnon to support *Article 15* and was seconded by Carlisle. Motion carried.

Bill Johnson stated that the Advisory Board would hold off on their recommendations until the Special Town Meeting floor.

*Article 14* was the next to be discussed. Present for this discussion was Ron Reed of the Trust Fund Commission, Ron Skaife and Dennis Driscoll both of the Bresnahan Memorial Pool Renovation Committee. Reed noted that there is almost \$2,500 available to spend from the Sylvia Gibson Trust Fund which states that it is to be used for "Town improvements".

Skaife stated that the Bresnahan Committee has raised \$21k to build a community center which would be available for use not only by the scouts. He added that they need \$45k for Monty Tech to build it and that they are asking for donations. He went on to say that the old place is unsafe and would cost \$30k to try and renovate. Dennehy stated that the Town has one of the best scout groups in the area.

Johnson inquired as to who would be responsible for the upkeep once this is built and Skaife stated that a trust fund would be set up for that purpose.

Lorna Fields inquired where donations could be sent and Skaife stated that they should be sent to the Bresnahan Community Center.

Carlisle motioned to accept *Article 14* as written and Gagnon seconded. Motion carried.

*Article #9* was next with Christina Sargent present to respond to any questions on this article. Dennehy inquired as to the distinction between an historical area versus an historical district. Sargent responded that they would know by Wednesday January 10<sup>th</sup> if it would be designated to the National Register District and added that the Downtown District is already designated as such.

Sargent stated that with the Historical District designation this would identify it and it would be on the State Register making us eligible for grant money thru the State as well. She noted that the grant in question is for \$10k but we would get \$6k back. She also stated that it's possible that the placement of the Nextel tower may impact this, but the placement would be discussed.

A motion was made by Carlisle to accept *Article 9* as written and was seconded by Gagnon. Motion carried.

*Article 1* – Paicos compiled and distributed the supplemental transfers report pertaining to this article. (Copy attached)

Paicos stated that he recommends this article and that the amount will change. Dennehy stated that the categorized list sets a bad precedent to set and that he was not in favor of any. He noted that a larger reserve fund was needed and he can't recommend. Paicos stated that the amount on the list for this article would come out of free cash and would leave half for the remainder of the year. Dennehy questioned why this couldn't be handled as reserve fund transfers. Paicos stated that there was only \$50k in the reserve fund and it wasn't prudent to tap it so early in the year. Carlisle noted that these expenses won't go away so we do it now or later.

Paicos stated that mistakes in the budgets are inevitable because they're figured 18 months in advance. Dennehy stated that it sets a bad precedent and he is against it in principal. Johnson noted that the Advisory Board doesn't like it either noting that some of the things on the list are not needed while some are. He stated that the message needs to be clear to the Department Heads and the Town Administrator. Belden DiVito stated that at some point they have to hold the budgets at what they are. Paicos noted that the budgets were reviewed by everyone and some of these were missed.

Dennehy noted that this shouldn't be fixed this way and the Town needs an adequate reserve fund account.

Johnson stated that the Advisory Board could have caught this but they rely on the Town Administrator's judgment and expertise. He added that now that they get monthly revenue and expense reports they can make a better choice.

Dennehy stated between now and the Special Town Meeting, they should discuss and find ways to address this and come up with some creative solutions. Carlisle recommended that they delay their recommendation on this article until the Special Town Meeting. The Board agreed unanimously.

*Article 2* – Gagnon motioned to recommend this article as written and was seconded by Carlisle. Motion carried.

*Article 3* – A motion was made by Carlisle to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 4* – Gagnon motioned to recommend this article as written and was seconded by Carlisle. Motion carried.

*Article 5* - Gagnon motioned to recommend this article as written and was seconded by Carlisle. Motion carried.

*Article 6* – Gagnon motioned to recommend this article as written and was seconded by Carlisle. Motion carried.

*Article 7* – Carlisle motioned to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 8* – Carlisle motioned to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 10* – Before a motion was made Paicos stated that the Town would be fully reimbursed for this expenditure in the same way that it was for Bush Hill. Carlisle motioned to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 11* – Gagnon motioned to recommend this article as written and was seconded by Carlisle. Motion carried.

*Article 12* – Carlisle motioned to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 13* – Carlisle motioned to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 16* – Gagnon motioned to recommend this article as written and was seconded by Carlisle. Motion carried.

*Article 17* – Carlisle motioned to recommend this article as written and was seconded by Gagnon. Motion carried.

*Article 18* – Paicos stated they should skip over this article for now as this will be decided at the Special Town Meeting. He noted that they are looking at basically \$30 to \$40k for this article. It was noted by Chris Gagnon that he would be happy to volunteer 6 or 7 hours on the day of the Town Hall staff move to help with the computers.

*Article 19* – The Board stated they would hold off on their recommendation of this article.

IV. NEW BUSINESS

- A. **Request to approve placement of signs by Rotary Club:** Dennehy stated that the locations of these signs are where they have been traditionally and he didn't see that there were any zoning issues. Gagnon stated that it might be a good idea to pass it by the Building Department as a courtesy. Carlisle stated that they were pre-existing so there shouldn't be an issue. Dennehy stated that they should run this by Mike Gallant just to be sure but that the signs were within the size allowed.

Carlisle motioned to approve the placement of Rotary signs as indicated with the approval of the Building Department and was seconded by Gagnon. Motion carried.

V. APPROVAL OF MINUTES

VI. OTHER MATTERS

Dennehy announced that the next meeting would be on Tuesday, January 16<sup>th</sup> at 7:00 p.m. due to the Martin Luther King holiday on Monday the 15<sup>th</sup>. He also noted that the Town Hall would be closed on Monday for the holiday but would be open on Tuesday from 8:00 a.m. to 7:00 p.m.

He announced the next Public Safety Building Committee meetings would be held on January 11<sup>th</sup> and the 18<sup>th</sup>.

Dennehy reminded everyone that the Special Town Meeting would be held on Wednesday, January 24<sup>th</sup> at 7:00 p.m. upstairs at Town Hall.

Dennehy thanked the Advisory Board for attending this meeting.

VII. EXECUTIVE SESSION

At 10:18 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 the purchase, exchange, lease or value of real property, contract negotiations with non-union personnel and not to reconvene into open session. Gagnon seconded and the motion carried.

VIII. ADJOURNMENT

At 11:06 p.m., Carlisle motioned to adjourn the meeting and was seconded by Gagnon. Motion carried.

Respectfully submitted,

Sylvia Turcotte  
Assistant to the Town Administrator