

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
OCTOBER 1, 2007
VON DECK LECTURE HALL, OAKMONT REGIONAL HIGH SCHOOL**

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

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

I. APPROVAL OF AGENDA: At 7:00 p.m., Carlisle read the agenda. Dennehy motioned to accept the agenda and was seconded by Gagnon. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

A. **Introduction of new full time Firefighter/Paramedic Robert Plant:** Plant was not in attendance.

B. **Presentation by LID Bylaw Committee:** Carlisle noted that a number of Committee members were present, including Tom Ruble, Colin Balogh, Bob Gingras and Gary Howland. Also in attendance were Town Planner Eric Smith and Debbie Shriver of the MA Coalition.

Ruble began the discussion by noting that the committee was charged to investigate the bylaw and they are now trying to gain support from the Selectmen. Shriver stated that Ashburnham is rich in water resources but that it is in danger of storm water run-off. She discussed ways to correct this under LID, listing a variety of techniques which were mostly natural with a low cost and low impact. She also stated that the bylaw is on the Town's website. Ruble stated that the Committee is planning a public forum on October 24th at Overlook for the public to learn more about it. He stated that the bylaws are a set of simplified guidelines. He went into some detail on the contents of these bylaws and also noted that they emphasized the use of inexpensive measures to resolve any issues.

Smith noted that a situation at 212 Ashby Road would have been a fine example if this bylaw had been in place and it could have been avoided. He also stated that Westminster put this in place in November. Dennehy inquired if this would be finalized in time for the Special Town Meeting on November 15 2007 and Smith stated that it would.

Ruble noted that the Committee wants to be proactive and he added that Smith did get a CD with this information to the Public TV Channel 8.

Dennehy asked about the measures taken to not conflict with the Conservation Commission's duties. Howland stated that ConCom hasn't accepted it yet but they will. He added that this does not conflict with any other bylaws, but that they are taking a step back to natural ways of taking care and preventing runoffs. Shriver noted that this would allow ConCom to conduct LID planning reviews for the permit process and that LID would be the only entity that issues the permit. She also noted that this would streamline the process to avoid any complications. Don Ouellette, DPW Director stated that he felt this was a good idea to adopt this bylaw.

Ruble stated that this would be proactive not retroactive. Gagnon inquired if there would be any enforcement if not adhered to and Ruble stated that he hoped so.

Carlisle stated that the Board appreciated all their hard work and that he recommends that they make the public aware, as education is the best way to deal with any controversy against this bylaw. He added that they are headed in the right direction.

Howland asked the Board for their endorsement and Carlisle stated that they could not endorse this before the warrant is settled. He stated that at the next meeting in two weeks, they would start discussion on the warrant articles.

C. Correspondence

- D. Town Administrator's Update:** Paul Boushell, Town Administrator noted the following: 1) that an announcement was made that the state lottery is off by \$120m which is not good for the towns; 2) he has been working on trying to bring the budget in focus; 3) the warrant articles for the STM included two articles that are with Town Counsel right now; one on the Habitat issue and the other is the LID bylaw; an article on paying some Munis bills; an article to approve a Trustee Board for the Bresnahan building; an article to fund the move back to Town Hall; and an article to rescind the TM quorum; to name a few; he also noted that the Town doesn't have money and he mentioned the DPW in particular. He noted that right now the DPW is down to \$5k in their operating budget. He stated that this was not a case of mismanagement.

Carlisle asked Ouellette to explain and bring everyone up to speed. Ouellette stated that the first major project is the Westminster Bridge which was unplanned and unappropriated. He noted that they used Chapter 90 money and the cost was \$90k. He also noted that this job was comparable to the one in Winchendon which costs approximately \$1m. He added that the insurance claim was discussed on the incident that occurred at the bridge but that it was already damaged and it would probably cost us more for legal fees than we would get from the insurance claim. It was noted that a letter to the insurance company should still be sent out.

Ouellette then went on to the next project which was Hardy Road noting that a claim is in for \$80k and that this cost to the town could run between \$45k to \$50k. He then went through the list of other projects such as: Center Street at a cost of \$30k (estimate was \$125k); Ballfield at a little under \$10k; Ashby Road at a cost of between \$17k to \$20k; the landfill, with permits from the State, was cleaned up with a contractor at \$8,500; Puffer St. drainage at \$15k; work at Town Hall at a cost of \$25k for fire and water service. (He noted that this work and costs were overlooked in the process, so they picked up the entire tab.) He noted that some of this funding was from Chapter 90, approximately \$85k.

Carlisle noted that these are all good examples that our DPW is doing a great job, adding that the Westminster Street bridge will be wider now at about 25 feet plus a sidewalk. Ron Reed noted that he suggests that they call or send a letter to Congressman Olver looking for help. Boushell noted that a letter had already been drafted.

Carlisle stated that they appreciated the update. Ouellette noted that the Chapter 90 funds are gone and the roadway budget is gone as well and with the \$5k remaining, it will be a struggle.

- E. Public Safety Building Committee update:** Gagnon stated that they fell behind about two weeks ago for back filling but now the trenching is done and the project will go up rapidly once the floor is poured. He added that everything is going well.

III. OLD BUSINESS

- A. **Vote by Board to close November 15, 2007 Special Town Meeting Warrant:** Dennehy motioned to close the November 15, 2007 Special Town Meeting Warrant and was seconded by Gagnon. Motioned carried.

IV. NEW BUSINESS

- A. **Discussion and vote by the Board on change in MART procedure:** Boushell noted that MART has a new policy regarding taking the vehicle out of state which they are asking the Board of Selectmen for their approval and signature. The Board members unanimously agreed to sign their approval.
- B. **Discussion on School request to open the South Maple Street gate:** Dave Uminski was asked to speak on this request. He began by explaining that there is only one entrance in and out for both Oakmont and Overlook schools and the traffic is backed up badly for a good 15 to 20 minutes each morning. He stated that on behalf of the parents, he would like to see the gate open between 7:00 and 7:45 a.m. He also noted that once the bridge is open again, it will be an even bigger issue. He stated that he discussed this with Chief Barrett who suggested a trial period.

Chief Barrett stated that they should find a happy medium, maybe 30 to 60 days trial and then re-evaluate.

A number of residents from South Maple Avenue were present for this discussion. Mary Reed stated that there should be a policeman at the end of Williams Road as this would alleviate the congestion. It was noted by Uminski that the backup has been from the Westminster side in past years.

Discussion followed with comments by the residents regarding the dangers opening the gate would cause. Gagnon raised his concerns as to who would regulate it so the kids don't drive up that road and Uminski stated that Eric Phillips, the Westminster officer who is at the school would check. He added that he would urge the parents to use certain ways and that the gate would only be open in the a.m. otherwise it would be locked. He also noted that Phillips wouldn't be able to control the traffic at the end of the road.

Ron Reed, who is a resident of So. Maple Avenue, questioned why the students weren't using the busses. He raised his concerns that the tax payers are paying for the busses and why they aren't being used.

More discussion followed. Carlisle asked Barrett if it would be possible to split the manpower issue with Westminster and have a police officer at the end of the road. Barrett stated that he didn't have enough staff and that the budget is tight. He stated that he would have to check with Westminster. Carlisle asked if it was worth discussing and Barrett stated that it would be worth checking into. He also noted that it could create issues such as traffic backups. He noted that he sent an officer to look into it a while ago and it seemed to cause more problems.

Dennehy stated that the problem is too much traffic and that So. Maple Ave. is inadequate. He suggested a restriction on drop-offs as an option.

Reed noted that the gate was put in for public safety use only and it was agreed by all the residents that this is a safety concern.

Carlisle stated that they should try to put an officer from 7 to 8 a.m. each morning at the end of the road on a trial basis to see if it's successful. He added that when the bridge opens, they could put an officer there as a test from 7:15 to 7:45 a.m.

Jim Whidden stated that the officer should be placed at Platts Road until the bridge opens. Barrett noted that the problem is with only two officers to deal with various issues it would be difficult but that he would try to work it out. Carlisle stated that he should work with Westminster and at least try it and see how it works out.

Dennehy stated that he suggests that the School Committee take this up as an issue to try to alleviate the safety concerns as it should be a school district policy question.

A few suggestions from others included to stagger the starting time of Overlook or to have a cut-off time for dropping kids off. Both of these suggestions were not really feasible. Uminski noted that they can't have any kids at the school before the staff as it is a safety issue.

- C. One-Day Special Liquor License – Historical Society:** Carlisle asked Jim Whidden to speak on this request. Whidden stated that the Historical Society is holding a fundraiser, antique auction, to benefit the Meeting House on Saturday, November 3rd from 4:00 to 7:00 p.m. at Thoma Travel on Willard Road. He also noted that they have an insurance binder as required. Whidden stated that anyone who is interested in attending or making a donation should call 978-827-9908. Gagnon motioned to approve the special one day liquor license and was seconded by Dennehy. Motion carried.

V. APPROVAL OF MINUTES

A. August 6, 2007 – Regular Meeting

Dennehy motioned to approve the minutes of August 6, 2007 and was seconded by Gagnon. Motion carried.

B. September 17, 2007 – Regular Meeting

Dennehy motioned to approve the minutes of September 17, 2007 and was seconded by Gagnon. Motion carried.

VI. OTHER MATTERS

There was a short discussion on the availability of one of the Selectmen for the next meeting which would have been scheduled for Monday, October 15th. It was decided by the Board to move the next meeting to Tuesday, October 16th.

Carlisle also announced the Ashburnham Conservation Trust (ACT) along with the Ashburnham Conservation Commission would be co-hosting a hike of the Bush Hill Forest on Saturday, October 13th with a rain date of the 14th. He went on to say that there would be two hikes in different areas of this preserve, one beginning at 8 and another starting at 10:00 a.m. leaving from the end of Bush Hill Road in Ashburnham.

Carlisle reminded the residents of the Special Town Meeting date of November 15, 2007.

VII. EXECUTIVE SESSION

VIII. ADJOURNMENT

At 8:35 p.m. Dennehy motioned to adjourn and was seconded by Gagnon.

Respectfully submitted,

Sylvia Turcotte, Assistant to the Town Administrator