

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
APRIL 2, 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 7:00 p.m., Dennehy read the agenda. Carlisle moved to accept the agenda and was seconded by Gagnon. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

A. **Rep. Rice – Discussion re: State Budget and Local Aid Issues (7:00 p.m.): Both Rep. Rice and his Aide, Alan Agnelli were present.**

Dennehy asked Rep. Rice for his update. Rep. Rice stated that the hearing on the Capital Exclusion bill would be acted upon soon and that it was in the Education Committee at this time. He noted that Senator Antonioni was pushing it but that it may not be resolved before the Annual Town Meeting although DOR should be okay with it.

Dennehy took a few minutes to explain the bill, noting that it would be a capital exclusion. He thanked Rep. Rice for expediting it.

Rice touched on the local aid numbers. He noted that the road funds are up \$264,242, while the basic lottery local aid was very disappointing. He went on to say that it looks like the state lottery may be in a downward trend and that they would have to get creative to find other streams of revenue.

Dennehy mentioned the MMA proposal of 30% to schools and 70% to towns, adding that this is the “pie in the sky” way of looking at this but it would increase predictability.

Rice noted that he hears the same story from all the cities and towns. Dennehy stated that \$1.7m was needed for the school budget and that the towns don't know where to find it. Rice stated that the Chapter 70 number would go up somewhat but that it probably wouldn't bring down the override number for Ashburnham. Rice added that the Chapter 70 number should be announced before May 5th.

Paicos noted that he had never seen such a vast disproportional distribution, with the \$200m to the schools while hardly anything to local government. Rice noted that the Rainy Day Fund would be tapped to subsidize the Lottery Fund revenue.

Rice also touched on the campaign promise by Governor Patrick regarding the new police officers noting that he had heard that there would be funds for 240 new police officers but that he wasn't sure about Ashburnham. He noted that he realizes Ashburnham needs this and he would follow up.

Dennehy inquired about the status of funding for Briggs and Rice stated that he spoke with Katherine Craven who assured him that Ashburnham would get their share. He added that within the next 6 weeks or so they would be organizing and reviewing the needs assessment. He noted that we should be quietly confident.

The next subject to be discussed was the dams in Ashburnham and the ultimatum from the State Dam Safety Department to get them repaired. Dennehy noted that the Town had received letters from them with the threat of fines imposed. He also noted that Paicos had sent a letter to the State Auditor's office advising them that the repairs were way beyond what the Town can afford. He added that we are looking for any state help available to us.

Rice noted that this is not a local burden but it is a state burden and that maybe a bond may be the answer.

Paicos stated that another letter was going out. He noted that there is some confusion as one letter stated that the Town had 3 dams while the other said 2. He noted that they have threatened us with fines and that it is ridiculous. Rice stated that Paicos should send him a copy of his letter and then he would get an appointment the week after with the head of the department to see what he can do with this issue.

Dennehy thanked Rep. Rice for attending the meeting and Rice stated that he would get back and report with the results all around.

B. Correspondence

None

C. Town Administrator's Update

The Town Administrator's update is attached to these minutes. Paicos touched on Item 19 in his report, Public Records Access, noting that Ashburnham has been recognized by Common Cause as one of only 40 communities in the Commonwealth for our website. Dennehy noted that there is an incredible amount of information on our website which is really significant. He added that Ken Dolder has done an incredible job on this for the Town.

Paicos noted that the Town has received a \$300k grant on the Russell Hill purchase and we already had a \$250k grant. He noted kudos go to Gary Howland and Lori Capone, our new Conservation Agent for this accomplishment. Gagnon inquired as to what would become of the taxes on this property which was in 61A and Dennehy responded that if it is in 61 for more than 10 years, the taxes would be minimal. Paicos noted that the price would be substantially below the \$900k that was approved at Town Meeting. Dennehy noted that this is a small price to pay.

D. Public Safety Building Committee Update

Dennehy stated that they would skip the update as they could roll this into the Public Safety bid award. It was decided to skip Old Business and go directly to New Business.

IV. NEW BUSINESS

A. Town Hall Renovation Bid Award

David Sargent, the Chair of the Town Hall Renovation Committee was present. Dennehy noted that M. O'Connor Contracting Inc. out of Roxbury was the low bidder at \$2,247,700. Dave Sargent noted that that they received two bids and that there was \$60k difference between them, with O'Connor as the low bidder.

Sargent also noted that the bids came in right in line with the original funding and that there would be \$90-\$100k for window bids. He noted that the Committee was very happy with this. He stated that the next step would be the Pre-Construction Conference with the Contractor, adding that they have to hold the bid for 60 days but they would have to start as soon as possible. He also noted that the references for this contractor were extremely good.

Carlisle motioned to accept the Town Hall Renovation Bid from M. O'Connor Contracting Inc. and was seconded by Gagnon. Motion carried.

Bill Johnson, Chair of the Advisory Board inquired as to the start date for the renovations as well as the move of the town hall staff and Sargent noted that they would be starting the work in May. Paicos noted that they are shooting to move in mid-May and that security at the high school is the impediment.

Dennehy expressed his thanks to the committee noting that there would be a "collective sigh of relief" by all. Sargent noted that it looks like it would take about 40 weeks to complete the work but that they would know more after the pre-construction conference.

B. Public Safety Building Bid Award

In attendance were: Larry Barrett, Al Rickhart, Linc Stiles, and Gail Dumont, all members of the committee.

Gagnon noted that they had \$4.9m left to work with and the low bid came in at \$4.7m. He noted that the Committee's vote was unanimous to approve this bid and they asked the Board of Selectmen to issue a letter of intent which would cover the delay until the alternates are approved.

Barrett went over the options that would be considered. Paicos stated that there is enough money for the letter of intent to the contractor but that they can't give the contractor the definite alternates to be awarded, but this would allow him to do some site work.

Linc Stiles discussed the stabilizing of the site. He then noted that they would not ask for a ballot vote to get the \$800k shortfall done, but that they would ask at the Town Meeting to borrow the extra money. He added that the outside work could be done as a community project, such as Monty Tech. He also added that the committee wants to achieve the promise to the Fire Department to get their trucks in the bays by winter.

Dennehy stated that they could award the base bid which needs to get done and that he supports appropriating the funds by borrowing and some bonding.

Carlisle stated that he would like to see everything done and stated that this is a capital expenditure. He reiterated that we have to finish this. He added that he wanted to be sure that people in town know that this comes out of our budget.

Dennehy stated that we must build it as we have been working on this now for three years and we don't want to go to the residents again.

Carlisle stated that we have done due diligence and that he hated to see it come out of our budget.

Gagnon stated that we have the money to build it and with the letter of intent we have the perfect contractor. He noted that they still have until the town meeting to look into this.

Dennehy noted that on May 5th we would be asking for a vote. Gagnon stated that the Committee would be making a presentation to explain all the options.

Gagnon motioned to issue a letter of intent to BW Contractors and was seconded by Dennehy. Motion was unanimous.

Dennehy noted his appreciation and thanks for the long service of the Committee.

Bill Johnson inquired as to the construction time and Gagnon noted that it was estimated at 12 to 15 months. Gagnon added that construction should go quickly. Al Rickheit stated that there would be sound justification for what the committee would present at town meeting.

Dennehy expressed his thanks once again.

III. OLD BUSINESS

A. Annual Town Meeting Warrant Article Review

Paicos asked the Board to review each article and if possible to give their recommendation. (The draft of the ATM warrant is attached.)

Article 1 – Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Articles 6-10 – Dennehy noted that these were all customary articles. Gagnon motioned to recommend and was seconded by Carlisle. Unanimous.

Article 11 – Paicos noted that this is a somewhat customary article and that it was a capital exclusion expense. Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Article 12 – Paicos stated that he would recommend that the Board pass over this article. Carlisle motioned to pass over and was seconded by Gagnon. Unanimous.

Articles 13 and 14 – Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Articles 17, 18 and 19 - Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Article 26 – Paicos noted that both Chiefs as well as he all agreed that this was not a critical article and that the cost would be \$6k. Johnson inquired as to why there was an additional cost for this and Paicos noted that this was not funded in the budget. Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Articles 34-37 – Paicos noted that these were all zoning articles. Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Article 38 – Dennehy took a moment to explain this article and added that Cushing would be working with the Town on this. Carlisle motioned to recommend and was seconded by Gagnon. Unanimous.

Paicos noted that he would remove Article 30 as it was not needed. He also stated that at the next meeting on April 9th, all the Department Heads would be present to answer any questions which might arise.

Bill Johnson inquired as to the Capital Budget and Paicos noted that the requests are all done but that the funding wasn't ready and added that it was very difficult this year. He stated that he should have it done by the next day and would email it to everyone.

Dennehy noted that at the next meeting on Monday, April 9th, they would discuss the remaining articles. It was also decided to rearrange some of the articles, moving articles 4 and 24 closer to the zoning articles.

Article 24 – Gagnon motioned to recommend and was seconded by Carlisle. Unanimous.

Dennehy noted that the Advisory Board would be meeting on Thursday, April 5th, Monday, April 9th and again on Thursday, April 12th.

IV. NEW BUSINESS (continued)

C. Review and vote on the Warrant for the April 24th Town Election

Dennehy read the April 24th Town Election Warrant. Gagnon motioned to approve the Town Election Warrant and was seconded by Carlisle. Motion carried. Dennehy also noted that the polls open at 9:00 a.m. and close at 8:00 p.m. He added that final voter registration for the Town Election was on Wednesday, April 4th from 8:00 a.m. to 7:00 p.m. He announced that the census forms should be sent in to the Town Clerk's office and that all dog licenses should be renewed.

D. Road Race Approval

Dennehy stated that a Road Race was scheduled for June 28th and was being put on by the Fitchburg Cycling Club. Carlisle noted that this was an incredible event.

Carlisle motioned to approve the Road Race and was seconded by Gagnon. Motion carried.

E. Discussion on Interim Town Administrator

Dennehy began this discussion by stating that when Kevin Paicos was hired it was known that he was in the military and that now they are faced with his deployment which would occur within the next several months. He added that Paicos has suggested that he would be gone for a period of time.

Paicos stated that he would be gone for military training from April 21st through May 12th but noted that he would be allowed to come back for the Annual Town Meeting on May 5th. He recommended that they bring in Paul Boushell as the Interim Town Administrator for this three week period.

Dennehy stated that they would ask Paicos to pass along their thanks to his superiors for allowing him to be at the ATM, adding that they needed him there.

Dennehy noted that the Board of Selectmen has the authority under the Charter to appoint someone in Paicos' absence. He added that they have to discuss the options available.

Paicos suggested that they bring Paul Boushell back for the short term and that they have enough time to advertise and post the job before he is deployed. He noted that they would have to get the ad ready to be put in the Beacon for the May issue. He added that they could do interviews in May and have their selection in June.

Dennehy motioned to engage the services of Paul Boushell for three weeks and to act posthaste to advertise in the Beacon for an interim for the long term. Carlisle seconded and the motion carried.

Paicos noted that they would need Boushell about 3 days a week and that he would be very well informed before that time. Dennehy noted that they could invite Boushell to submit his resume for the longer term as well.

V. APPROVAL OF MINUTES

- A. March 5, 2007 – Regular Meeting
- B. March 14, 2007 – Special Meeting

Carlisle motioned to approve the minutes of the March 5, 2007 Regular Meeting and was seconded by Gagnon. Carlisle motioned to approve the minutes of the March 14, 2007 Special Meeting and was seconded by Gagnon.

VI. OTHER MATTERS

Dennehy stated that Monday, April 16th was the Patriots Day Holiday and the Town Hall would be closed. He noted that the Town Hall would be open on Tuesday, April 17th from 8:00 a.m. to 7:00 p.m.

Dennehy announced that the Board of Selectmen would be meeting again on April 9th and April 17th.

Dennehy also announced the Annual Town Election on Tuesday, April 24th from 9:00 a.m. to 8:00 p.m. and the Annual Town Meeting on May 5th at 10:00 a.m. at Oakmont.

Gagnon noted that he received an email from Mike Zapantis with his thanks for clearing the site at Briggs on the ground water testing. He noted that they found nothing at the site so it is officially clean and the cost was down to \$4,000.

Dennehy noted the next meeting would be on April 9th.

VII. EXECUTIVE SESSION

At 9:19 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 review of past executive session minutes for possible release and not to reconvene into open session. Gagnon seconded and the motion carried.

V. ADJOURNMENT

At 11:12 p.m., Carlisle motioned to adjourn the meeting and was seconded by Gagnon. Motion carried.

Respectfully submitted,

Sylvia Turcotte, Assistant to the Town Administrator