

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
MARCH 17, 2008
VON DECK LECTURE HALL, OAKMONT REGIONAL HIGH SCHOOL**

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

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

Mark Carlisle made an announcement that if anyone was watching this meeting on Cable Channel 9, there was only audio and no picture. He stated that they should switch to Channel 909.

I. APPROVAL OF AGENDA: At 7:03 p.m., Carlisle read the agenda. Dennehy motioned to approve the agenda as read and was seconded by Gagnon. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

A. **Correspondence:** Dennehy stated that the Board had received an email from a resident regarding a town-owned property located on Lake Watatic on Lakeshore Drive. This resident noted that access to the lake has been blocked off by boulders and he questioned why this was done. Dennehy noted that it should be open and instructed the Town Administrator to look into this and advise.

Dennehy also gave a quick update on the FY09 budget from Senator Brewer's office stating that it passed the joint resolution and confirmed the lottery funds to the school and the town. He noted that it wasn't the Governor's budget which was passed and that the Town and School District would receive the same amount as last year. He added that this means adding \$115k back into the Town's FY09 Budget.

B. **Town Administrator's Update:** The Town Administrator was not in attendance.

C. **Public Safety Building Committee update:** Gagnon stated that the interior is just about complete. Chief Barrett was present and added that the cell doors had been delayed but should be in within the next couple weeks. Gagnon stated that the HVAC was about 80% done and that the project was going along very well. He also noted that Chief Barrett is working diligently to get all the equipment needed for the inside.

III. OLD BUSINESS

A. **Continued discussion of ATM Warrant:** Carlisle stated that there was one article that should be moved back to the fall Special Town Meeting. He stated that Article 15, which is the discontinuing of portions of Bush Hill Road and Kelton Road should be researched further to ensure that this is done properly. All members were in agreement.

It was also noted by Carlisle that the article submitted by the Focus Committee regarding the authorization to sell property owned by the Town had been removed.

Dennehy inquired about the school budget article regarding Chapter 71 and the formulas in the regional agreement with the school district. A short discussion followed regarding the need to place an article on the town warrant on this issue. Gagnon noted that this article would have a negative impact on Ashburnham with a higher assessment and he added that the voters are well represented on the School Committee covering this law.

It was the general consensus of the Board members that they were not interested in pursuing this further.

Dennehy asked Chief Barrett about the plan to keep the rotation of police cruisers going as there wasn't an article submitted for a new cruiser this year and he asked what he would recommend. Carlisle inquired as to mileages right now on the oldest cruiser. Barrett stated that he didn't submit an article due to the Town's financial restraints and that the oldest cruiser had just over 100k miles. He noted that it is due for replacement, adding that if it isn't replaced it would mess up every year after this and there would be concerns of reliability and safety as well.

Barrett noted that he had discussed leasing as an option but that this would cost more than purchasing outright. He also noted that the cruisers put on about 35k miles a year while the SUV puts on about 15k miles a year. Carlisle inquired if the purchase of a cruiser could wait until the fall STM and Barrett stated that he had concerns about the reliability of the cruiser breaking down before then as the stress of an entire vehicle comes into play on cruisers once they reach the 100k mile mark.

Dennehy inquired as to the cost of a cruiser if funds could be found and Barrett stated that they run between \$30k and \$35k.

Bill Johnson inquired about the possibility of purchasing another vehicle as a cruiser other than a Ford and Barrett noted that the Crown Victoria was the best buy for this purpose at this time.

Dennehy stated that in his opinion, if the funds can be found, a cruiser should be bought this spring as he feels this is one of the priorities and Carlisle agreed.

Gagnon noted that at the next meeting on April 7th, he is requesting a presentation by the Town Administrator on furniture for the Town Hall.

B. MSBA Initial Compliance Certification

Superintendent Mike Zapantis was present and discussed the progress on the Briggs Building Project. He noted that the Board has been given a copy of the Initial Compliance Certificate for their review and added that the signatures required on this ICC are: the Chair of the School Committee, the Chair of the Board of Selectmen and himself. He noted that the School Committee has voted on this and the Chair will

sign the document. He stated that he is asking for the Board of Selectmen's consideration and added that this does not commit the Town at this point in time with any financial commitment. He also noted that there was no specific date to sign this document and Dennehy noted that they would submit the document to Town Counsel for review.

Gagnon motioned to authorize the Chair of the Board of Selectmen to sign this document upon approval of Town Counsel and was seconded by Dennehy. Motion carried.

Dr. Zapantis reviewed a flow chart and the five phases of the actual process. He added that they are moving along but still in Phase I. He also stated that Phase III is the most significant because it deals with funds.

A short discussion followed regarding the possible contamination of the property where Briggs is located, which was initiated by Wayne Adams, a resident.

Dr. Zapantis stated that the new Briggs facility would also benefit the community at large, with such uses as a Senior Center, meeting rooms, etc. He ended the discussion by noting that the MSBA is looking for "green" schools, the more "green" the better. Carlisle thanked him for his update.

C. Discussion on Bresnahan Project

Dennehy stated that last week both he and Town Counsel met with the members of the Bresnahan Project to discuss the progress and what still needs to be accomplished. He noted they are looking to take the existing structure on River Street, which was donated to the Town for the Boy Scouts and which has been named as the "Boy Scout House". He added that there isn't any plumbing or modern heating in the structure and that it has been abandoned. He stated that the members of the Committee were upset over the condition of the property. He gave a short history on the building to date.

He noted that the Committee wants to demolish this building and rebuild a new structure for the Boy Scouts to also include meeting rooms.

Dennehy stated that the Committee has raised approximately \$45k in the past two years through fund raising and that they are not looking for Town funds. He noted that they would utilize Monty Tech students to build the facility and that they are eager to start the project. He stated that the Committee wants to start the project this coming fall and they are looking for donated labor and materials.

Dennehy stated that he has informed them that this is complicated because it is Town-owned land. He noted that Town Counsel has stated that because Monty Tech would be building the structure they wouldn't have to go out to bid on the project.

He also stated that a warrant article would be needed for the ratification and that a second article would be needed to create a new trust fund for the upkeep of the

building. This second article would be more difficult to write than the first and that Town Counsel would have to set up the structure. He noted that the Committee has asked the Board to waive fees but that he informed them, only the boards can give the Committee a waiver on their fees.

Dennehy stated that the Committee asked the Selectmen for the following: 1) a vote for the Town to pay for publication and postage fees; and 2) a vote to authorize the demolition of the existing Boy Scout House. (He noted that the Fire Dept., the Historical Commission and the Building Inspector have all signed off on this.)

He also noted that he wants to see the Town Administrator be closely involved with the Committee and their budget.

Carlisle inquired when these articles would be on the warrant, spring or fall and Dennehy stated the spring because of the Monty Tech scheduling and added that the Committee wants this to be a partnership with the Town and they are very excited about this. Gagnon had concerns that the voters owned the building but they haven't been asked and Dennehy noted that that's why the articles would be on the warrant so that this would be debated on Town Meeting floor.

Gagnon voiced his concerns regarding the VMS Building which has been basically forgotten. He also noted concerns on insurance for the site as it is in a flood-plain area. He noted that he wants to do due diligence and is hesitant to rush the two articles right now as they only have \$40k and they would need more time to raise more money. Gagnon stated that he would support an article to authorize the Selectmen to proceed at their discretion to begin the process to integrate with the Committee with no funds involved. He noted they should keep the articles generic and that long-term consequences need to be addressed.

Dennehy noted that the Committee is not asking for Town Meeting approval to demolish the building, they are asking the Selectmen to go ahead with this at the end of March. He also added that Town Counsel has stated that they don't need a Town Meeting vote to demolish as it is not required by our bylaws.

Carlisle stated the following points. 1) The Committee must comply with other boards; 2) ensure that they have enough funds to complete the project; and 3) the Trust is a concern and this has to be legally and properly put together. He also noted that it is a worthy cause but questions need to be answered. Dennehy added that he didn't think the Trust part would be ready for April 7th but that Town Counsel is involved.

Dennehy stated that they can't lose sight of the fact that Ashburnham's troop is one of the best in the state. He noted that the Committee is dedicated to the cause and they need support and he is willing to help them move forward by donating his time.

Resident Wayne Adams noted that the site was a tannery at one point and may have contamination and wondered if everyone would be made aware of this. Dottie Munroe, an Advisory Board member stated that this building had been a scout house

since the 1930's and may be grandfathered for scouts by the Town and that this should be researched. A short discussion followed.

Dennehy noted that the Committee has asked the Selectmen to 1) vote on a generalized article; 2) appropriate money for postage and publication; and 3) authorize the demolition.

Dennehy moved to appropriate money to cover publication and postage fees that come up as the Committee applies for various fees. He also motioned to place a warrant article for the ATM to authorize the Board of Selectmen to use it's discretion to construct a new building on the River Street site. Carlisle seconded and the motion carried.

Dennehy motioned to waive fees in the Board of Selectmen's authority, to waive the building permit and to pay costs relating to publication and postage. Gagnon noted that it wasn't necessary to vote on this and Carlisle agreed.

Gagnon noted that it should be the voters discretion on the demolition of the building and Dennehy stated that if another warrant article is needed it would delay the demolition which would cause some ramifications. He also noted that according to Town Counsel everything is in order to go ahead with this demolition as planned.

Bill Johnson suggested that the Board approve the demolition at this meeting pending a letter from Town Counsel. Dennehy motioned, pending verification of Town Counsel, to grant permission to demolish the building on River Street and Gagnon seconded, if this is verified. Dennehy noted that they would make sure that Town Meeting approval is not required and that it won't happen if there's any question.

IV. NEW BUSINESS

V. APPROVAL OF MINUTES

A. **March 3, 2008 – Regular Meeting**

Dennehy motioned to approve the minutes of the March 3, 2008 Regular Meeting and was seconded by Gagnon. Motion carried.

VI. OTHER MATTERS

Carlisle noted that Chief Barrett had submitted a proposal to update the parking fine structure. Chief Barrett stated that he researched the Mass General Laws on this and noted that these fines hadn't been addressed or updated since 1990, which is well over 25 years. He also noted that he did a survey of the area and the Town was lacking. He stated that this updated structure would be put out as a deterrent and in order for the Town to be in line with other communities. He also noted that last year he signed on with a company to go after payment of fines that were delinquent.

Dennehy inquired if he would be expanding any other program and Barrett noted that some things would be under the “other” category but that they would not be increasing penalties, just the violations on the list.

Gagnon motioned to accept the fees as presented and Dennehy seconded. Motion carried.

Carlisle announced the Employee of the Year Recognition Dinner by the Rotary would be held on Wednesday, April 2nd with cocktails at 6:30 followed by dinner at 7:00 p.m. at the Wachusett Village Inn and that this years nominee for Ashburnham was Steve Nims.

Carlisle announced the Rabies Clinic on Saturday, March 22nd from 2:00 to 3:30 p.m. at the Highway Barn at a cost of \$10.00.

He also reminded residents that a second Road Presentation by the DPW Director would be held on Thursday, March 27th at 7:00 p.m. at the Senior Center.

He announced final voter registration for the Town Election would be held on Wednesday, April 9th from 8:00 a.m. to 7:00 p.m. at the Town Clerk’s office at 15 Oakmont Drive and that the final voter registration for the Annual Town Meeting would be on Monday, April 14th from 8:00 a.m. to 7:00 p.m. also at the Town Clerk’s office.

Carlisle stated that the next Selectmen meeting would be on Monday, April 7th.

At this time Wayne Adams submitted paperwork regarding land owned by Kevin Lashua, which was a cease and desist order due to hazardous illegal dumping. The Board accepted the order from Mr. Adams.

VII. EXECUTIVE SESSION

VIII. ADJOURNMENT

At 9:12 p.m. Dennehy motioned to adjourn and was seconded by Gagnon. Motion carried.

Respectfully submitted,
Sylvia Turcotte
Executive Assistant to the Town Administrator