

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
JULY 21, 2008 – 6:00 PM
LOBBY - OAKMONT REGIONAL HIGH SCHOOL**

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

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

Gagnon took a moment to thank the School District as well as the Cable TV studio personnel for allowing the meeting to be held at this location.

I. APPROVAL OF AGENDA: At 6:00 p.m., Gagnon read the agenda. Dennehy motioned to approve the agenda and was seconded by Whitney. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE

- A. **Correspondence:** Gagnon noted that the Board received a letter from John MacMillan, which he read, (copy attached), suggesting a change regarding the date for the Annual Town Election where it should be held after the Annual Town Meeting. Dennehy agreed with MacMillan's points but did note that it could be an issue with the School as well as the Town of Westminster. Gagnon stated that they should check with Westminster officials on this.

Dennehy also noted that eventually they should review all the By-Laws and the Charter, but they don't need to tie up the election issue right now. He also stated that they should go ahead and approach Westminster as well as checking with Town Counsel, via memo. Whitney noted that they should approach Westminster first and Gagnon agreed. Paicos stated that he would send a memo to the Westminster Board of Selectmen, follow up with Karen Murphy and copy the Board.

At this time, Whitney made a point of stating that they needed to adhere to the Special Act in regards to the Town Administrator issues and she added that her goal was to follow the Special Act and to also include a copy along with these minutes. (Copy attached.)

Dennehy wanted to express his thanks to Fire Chief Zbikowski and the Firefighters Association for the wonderful event last Wednesday in honor of Kevin's return from military duty in Afghanistan. He stated that there were a lot of people in attendance and it was a great small town event. He added that Zibby and his crew should be congratulated for this event. Gagnon also expressed his thanks to the Firefighters Association.

- B. **Town Administrator's Update:** Paicos stated that Paul Boushell was ill and couldn't be in attendance.

Paicos also wanted to express his sincere thanks as well as his wife Anne's, to the Firefighters Association as well as the community for the welcome back event. He noted that they were incredibly humbled and very grateful. He also stated that he appreciated everyone who attended including the entire Board of Selectmen.

Dennehy noted that he had concerns with the memo sent out regarding the Public Safety Project and Bond Counsel's comments on the voting and bond funding. Gagnon clarified these issues.

Dennehy inquired as to the efforts being taken to get Town Hall wired with a live feed with Comcast. Gagnon stated that Matt Bourgeault met with Paul Boushell last week. He noted that it was basically up to the Town Administrator to contact Mr. Kelly at Comcast. He did add that Boushell was trying to get two connections and it is up to Comcast to get this completed. Gagnon stated that they would ask Paicos to check with Boushell on the status. Paicos noted that he would get this done. Dennehy stated that he should make this a top priority and Gagnon stated that he would work with Paicos to accomplish this. Zapantis graciously offered the use of the foyer at the school for the meetings at any time. Whitney added that she wanted the meetings to be aired live. Dennehy stated that a deadline should be set with Comcast so that the meetings would be live at Town Hall starting the first week in September.

- C. Public Safety Building Committee update:** Gagnon noted that there was good news on the door situation. He stated that they would be delivered by mid-August but without the hardware. He noted that the hardware would be delivered either August 20 or September 10. He added that the Town Seal medallion was ordered for the front door.

Leo Janssens commented on a potential parking issue and a short discussion followed. It was noted that this would be discussed further at a future meeting.

III. OLD BUSINESS

- A. Continued discussion on Briggs Ballot question and ballot vote schedule date:** Gagnon stated that they had "penciled in" October 14 for the new ballot election and November 13 for the Special Town Meeting.

Dr. Zapantis was present and noted that if the Briggs ballot question was placed on the November 4th state election ballot, many other ballot questions would be on it as well and it could get lost. He noted that Paicos mentioned how it would not be a good idea to place a local ballot question on the State ballot. He also stated that he was unable to find any data on whether this was successful or not in the past. He stated that at the meeting of the Briggs Committee held after the last Selectmen's meeting, it was noted that they were inclined to go with the October 14th date.

Whitney stated that she would support the ballot being placed on the State Election as she didn't want to spend the extra money. Dennehy stated that his priority is a "successful vote" and if Briggs isn't done it will have a negative impact on the Town.

He stated that Briggs is the top priority in terms of funding and that they need to go with the most chance for success. Whitney asked where the money would come from as the voters had already said “no” on this ballot question. Dennehy again noted that they had to find the greatest probability of success.

Gagnon suggested that they could take the money out of the Board of Selectmen’s budget if they passed on going to the MMA conference this year. Paicos noted that if the voters see fit to go forward, the money is immaterial concerning the consequence.

Gagnon stated that they wanted to know where the money would be coming from. Bill Johnson noted his thoughts by stating that the \$3k may not seem like a lot of money but it is. He also stated that they did have an obligation to put this out there and that there would be a higher turnout in November which makes more sense. Dennehy noted that this was a Presidential Election and people would only be voting for president but they won’t have the passion or knowledge that we have about the Briggs question and they would vote “no”. He stated that both Boards have to make a decision and show some leadership. He added that they should have Paicos find a way to get the money and do what would be the greater probability of success.

Bill Johnson noted that he felt it was a bad precedent to have another election. Kathy Cunningham a member of the Briggs Committee stated that placing this on the State ballot could be a dangerous gamble. She went on by thanking the Selectmen and the Town Administrator for supporting this in such a visible way. She added that the study isn’t a done deal and the point is to make a determination, not necessarily building a new school. She stated that the Briggs Building Committee members were in favor of the October 14th date noting that one question would clearly send a message. She also offered to help in any way that was needed.

Cunningham noted that Briggs is 50 plus years old and that everyone needs to think about the everyday use by 500 children which results in the normal wear and tear. She also noted that this would not be a re-vote but a new vote and this is the difference. She noted that they need the help and support of everyone in the community and that leadership is important. She added that they need to be vocal, very public and proactive.

Cunningham stated that they are planning for September 17th as a date for the public to view the Briggs building as well as a full open house for the community on October 1st in order to really see what they are talking about.

Dave Christianson of the School Committee stated that the October 14th date gives both the Committee and the Town the time to focus as this is time-sensitive. He added that it’s well worth the \$2,500 election cost and the stand-alone concept is the best shot. He also noted that this study is the net result of three years worth of work.

Gagnon discussed some of the existing problems at Briggs noting that the building is well maintained but still needs a lot of work. He noted some of the issues were pipes, electrical, A/C, etc. but added that it is very clean regardless of these issues.

Gagnon then stated that he is in support of the October 14th election date and that he would ask Paicos to get the specifics as to where the money to pay for this election will come from. Whitney also voiced her concerns as to where the funding would come from. Dennehy stated that they should vote on this at this meeting but task Paicos to find the funding out of the budget. Paicos noted that he would give them an answer in the next day or so.

Dennehy motioned to approve Tuesday, October 14th as the date for the Special Election and was seconded by Whitney. Motion carried.

Whitney then made the motion to approve Thursday, November 13th as the date for the Special Town Meeting and was seconded by Dennehy. Motion carried.

II. PRESENTATION, REPORTS & CORRESPONDENCE (continued)

- D. Revenue/Expense Report:** Paicos reviewed the highlights of his memo. He praised Paul Boushell, Jim Shanahan, Anne Cervantes and Carla Clifford on an outstanding piece of work and added that this was the most critical report for the Town.

Paicos explained how the Whitney Park Project projected revenue never materialized due to circumstances beyond anyone's control.

Paicos touched on the Water/Sewer funds noting the rate increases which were set just before the beginning of FY09. He noted that they have run deficits for two years in a row and the Bureau of Accounts warned us not to let this happen again. He added that he would do anything needed to get the tax rate set early and that they shouldn't have a problem this time. Paicos also noted that they had collected 98% of the real estate taxes and that Carla Clifford did a great job and should be commended. He added that the remaining balance was due to foreclosures.

Paicos noted that Anne Cervantes, the Town Treasurer did a great job on bank interest by taking good advantage of available surplus bond proceeds and added "kudos to her" for this effort.

Paicos then reviewed the FY08 Budget as well as the FY09 Budget areas of concern, among which were energy costs. He noted that in particular he would need to look at the Library budget as this will be short due to energy costs. He also discussed the cuts that were made to the budget re: COLA, EMT and the cruiser issues. Whitney did note that these cuts were made with talk of bringing them up at the fall Special Town Meeting if funds were available at that time.

Discussion followed on the non-union COLA issue which Paicos stated was a critical concern. Both Gagnon and Whitney stated that there just wasn't any money to fund this. Dennehy agreed with Paicos that they should take a hard look at this as he was very disappointed that it was voted out. He also stated that he wants Paicos to give the Board price tags on different scenarios. He noted that they want a menu to choose from to discuss.

Paicos stated that not giving the COLA to the non-union personnel sent a bad message. Leo Janssens stated that he voted against the raises to keep people. He questioned how many people were affected and Paicos noted about 35 and that they need to work to be fair to all. Janssens noted that no raises were given in the private sector. Dennehy stated that they needed to look at this not as union or non-union.

Pixie Brennan stated that she would like to see a chart including union and non-union benefits and compare them. She noted that she was not for or against the union but that she needed to see a chart for comparison.

Bill Johnson noted his apology in advance for what he was about to say. He noted that he hoped the Advisory Board and the Board of Selectmen are paying close attention to any money being spent as they need to do a better job to get all the information out. He stated that the budget was a mess from day one and that they need to know what the numbers are. He added that the last area to look at now is personnel. He noted that they need to look at ways to cut costs such as closing Town Hall on Fridays, no night meetings at the VMS, etc.

Gagnon stated that they wanted to see all the contracts over \$10,000.

Paicos stated that the FY09 Revenues are very conservative which is good. He noted that he would ask Anne Cervantes for the exact amount for the COLA's, as \$58k may not be accurate.

Paicos also noted that it looks like there won't be enough Free Cash to cover all the items that he listed in his report. Whitney asked what the Free Cash number was and Paicos noted that they couldn't give a number yet as the Bureau of Accounts has the last word.

Jim Shanahan, the Town Accountant stated that Certified Free Cash starts with a balance sheet, 28 pages of forms to be completed for 16 funds. He noted that the Bureau of Accounts would go through and if there is a deficit they will deduct it off the Free Cash amount automatically.

Paicos noted that the bottom line is that there are more expenses than revenue and we are balancing the budget with non-recurring funds and that it will likely be the same next year. He stated that he is very concerned with FY10 and that they should trim FY09 now to try to avoid shortfalls in FY10. Both Gagnon and Whitney agreed with this statement.

Paicos stated that he would re-do his memo on the FY09 budget with corrections. Whitney asked that this new memo be sent via email and Paicos agreed. Johnson stated that this should not only include changes but that we should find out before press time about shortfalls as this information needs to get out. Gagnon questioned how they would go about reducing the budget and Paicos stated that he would need to meet with the Department Heads to discuss cuts.

Gagnon asked for a breakdown of Non-Departmental accounts. He also had some ideas on how cuts could be made, listing a few - Emergency Dispatch could be regionalized (“has anyone approached this idea?”) adding that this might not help in FY09 but maybe in FY10; solar panels on the VMS building? Move COA to lower ceiling rooms? Whitney added “mothball South Station? and a moratorium on new hires and consultants?”

Paicos stated that he needed a priority list from the Board of Selectmen to go with his list. Paicos noted that “it’s never a question of not having enough money but how we make expenses fit”. Gagnon stated that with the deficit we show right now, he couldn’t see funding for anything else. Paicos added that they need to fund but not with non-recurring revenue.

Gagnon stated that they should have Paicos go ahead and discuss with the Department Heads on how to cut their budgets.

Paicos stated that he would submit to the Board a list of contracts as well as a list of what is under Non-Departmental.

III. OLD BUSINESS (continued)

B. Discussion on appointment to Capital Planning Committee: Gagnon noted that Leo Janssens and Jamie Piedrafite of the Advisory Board volunteered to serve on this committee and that Jonathan Dennehy of the Board of Selectmen has also volunteered. He noted that they are still missing two citizens-at-large to complete this committee. He asked that Caitlyn Kelleher of the Community Journal place a notice regarding this in the paper.

C. Continued discussion on Town Administrator overlap schedule: Whitney stated that in her opinion, after the FY09 finances she would like to make a motion to end Paul Boushell’s contract. Dennehy noted that he would not second this motion and that they needed to discuss this in Executive Session. Paicos stated that the Board needs to hear more information and that he would tell Paul Boushell that he is on vacation for the next two weeks and then at that point they could make a decision at the next meeting.

Dennehy stated that he didn’t want to discuss this until they have all the facts. Gagnon questioned the issue of executive session really being necessary and Paicos stated that the discussion would be indeed contract related issues and that if the Board decided that it’s not, then they could release the minutes. Gagnon noted that he would be willing to see what would be discussed and Whitney noted that she would not discuss any change in the contract. Dennehy stated that he wanted to hear what Paicos had to say. Whitney again noted that in her opinion, the contract is null and void. Gagnon stated that they should listen to what needs to be said in Executive Session and Paicos added that as he is the Chairman he was in control and could call a halt to the meeting at any time.

- D. Town Hall turnover ceremony:** Gagnon noted that it had been suggested that both the Town Hall and Public Safety Building ceremonies would be held on the same day, the Town Hall in the morning and the Public Safety Building in the afternoon as there is more room at the Public Safety Building to end the day. Whitney noted that it sounded good to her. Dottie Munroe inquired if this would include refreshments and Gagnon stated that there would be coffee and Danish in the morning and a barbecue at the Public Safety Building as there is plenty of parking.

Gagnon stated that a scenario might go something like this: 10:00 or 11:00 a.m. at Town Hall, coffee and Danish, with a two-hour tour and dedication ceremony, then at noon or 1:00 p.m. they would go to the Public Safety Building. He also noted that they are looking for volunteers to help with this. Bill Johnson noted that the Building Committees should be in charge of this and Gagnon stated that they would ask the two committees to get together and plan this event.

- E. Special Fall Town Meeting date:** Gagnon noted that this had already been discussed earlier in the meeting.

IV. NEW BUSINESS

- A. FY10 Budget Schedule:** Whitney distributed a handout on her draft “Ideal Budget Deadlines for FY2010”.
- B. FY08 Unfinished Business:** Whitney noted that she made a list of things that haven’t been completed and that she would email this list to the Board of Selectmen.

VI. SCHEDULE OF COMING EVENTS

V. APPROVAL OF MINUTES

- A. June 2, 2008 – Regular Meeting**
Dennehy motioned to approve the minutes of the June 2, 2008 Regular Meeting and was seconded by Whitney. Motion carried.
- B. June 24, 2008 – AWRSD Meeting w/Board of Selectmen**
Gagnon motioned to approve the minutes of the June 24, 2008 AWRSD Meeting with the Board of Selectmen and was seconded by Whitney. Motion carried.
- C. June 25, 2008 – Special Meeting**
Dennehy motioned to approve the minutes of the June 25, 2008 Special Meeting and was seconded by Whitney. Motion carried.

VI. SCHEDULE OF COMING EVENTS

Whitney noted that the next Rail Trail Clean-up was scheduled for August 16th and that they are asking for volunteers. She also commended this committee for all their hard work.

VII. OTHER MATTERS

Dennehy noted that the next scheduled meeting was August 4th but that neither Paicos or his assistant Sylvia, would be available to attend. The Board noted that they would discuss changing the meeting date.

VIII. EXECUTIVE SESSION

At 8:49 p.m. Dennehy 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 contract negotiations with non-union personnel and not to reconvene into regular session. Gagnon seconded and the motion carried.

With no further business to discuss, at 9:25 p.m. Whitney motioned to adjourn and was seconded by Dennehy. Motion carried.

Respectfully submitted,
Sylvia Turcotte
Assistant to the Town Administrator