

**TOWN OF ASHBURNHAM  
BOARD OF SELECTMEN MINUTES  
AUGUST 17, 2009 – 7:00 P.M.  
FAIRBANKS MEMORIAL TOWN HALL – UPSTAIRS MEETING ROOM**

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This meeting was aired live on local cable television.

PRESENT: Ed Vitone, Chair, Jonathan Dennehy, Member, Maggie Whitney, Clerk, Doug Briggs, Town Administrator and Sylvia Turcotte, Assistant to the Town Administrator.

The Pledge of Allegiance was led by Maggie Whitney. Vitone called the meeting to order at 7:00 p.m.

III. SOLICIT PUBLIC INPUT

Vitone asked for any Public Input and Pixie Brennan stated that she would request that they move the review of the Use Policy for the Public Safety Training Room up as she had some comments and wasn't sure that she could stay at the meeting for any extended length of time.

II. APPROVAL OF AGENDA

It was noted by Vitone that they would accommodate Brennan by moving the discussion on the Use Policy for the Public Safety Training Room under Presentations & Reports as Item C. He also noted that under New Business they would add the approval of a stop sign, committee openings and an appointment to the Agricultural Commission. Dennehy motioned to approve the agenda as amended and was seconded by Whitney. Motion carried.

IV. PRESENTATIONS & REPORTS

A. Treasurer – Borrowing approval for Briggs Feasibility Study

Anne Cervantes, the Treasurer, was present and stated that this was temporary borrowing for the Briggs Elementary Feasibility Study per MGL.

She stated that the interest rate was 1.65% and the amount of the borrowing was \$400k which would be paid back and rolled in if the project proceeds. She added that the MSBA would reimburse half of this amount for the feasibility study for certain if the project goes forward. Dennehy motioned to approve the borrowing and was seconded by Whitney. Motion carried.

B. Board of Assessors – Goals & Objectives

Dick Coswell and Donna Burton were present. Dick Coswell went over their Goals & Objectives. He described the cyclical inspections and where they were at this point. He noted that they had twelve more inspections to go and that he wanted to re-check a few as well. He stated that once this is done he would pass on the results to the Town Administrator and the Selectmen. He stated that new growth right now was between \$90k to \$100k and could possibly be even more.

Coswell noted that they needed to get the data to the Bureau of Local Assessment and that they would be prepared to send this information to the DOR on time with the target date of October 15<sup>th</sup>.

Coswell stated that updating the Assessors maps is an ongoing and very slow process.

Dennehy inquired about having the field cards on line. Burton stated that the cost to do this would be around \$4k a year and Dennehy stated that they should investigate this as it would allow for greater efficiency for the public.

Coswell touched upon the reorganizing of the Assessors stating that they would need a full time professional and also a field worker which could be expensive. He stated that another way to reorganize would be to regionalize but that he was not in favor of this option. He noted that the third way to reorganize would be by contractual basis with one or more firms for the recertification process, the new growth and the cyclical inspections. He stated that they should find a professional organization to do this via an RFP which needs to be written. He stated that they needed to push the date back for this probably into late December. Briggs stated that he needed this done by October 1, 2009 and Whitney noted that she would be happy to help with the RFP.

Coswell stated that the Assessors should basically oversee contractors work, without any hours per se, and to only receive a stipend.

He also noted that the Assessors should be familiar with both the Munis and Vision software process. Coswell noted that they needed a clerk in the office along with a regional contract assessor to handle the bulk of responsibilities. He noted that Burton would learn and utilize the Munis system.

Vitone stated that the Board wanted to see the Assessors share the work with the Building Inspector and to see some process improvement. Coswell noted that they are notified when the work by the Building Inspector is complete. Vitone noted that the Assessors should pick one process improvement and this should be accomplished with the assistance of the Town Administrator.

Vitone stated that the Assessors had four goals & objectives written, they should add process improvement and also look into placing the field cards on line.

C. Review and vote on new Public Safety Facility Training Room Use Policy

Vitone discussed a few suggestions that he came up with. Pixie Brennan stated that she wanted to know if a survey had been done from other communities regarding their public safety building use policy. She noted that training is important but there was a difference between profit and non-profit use and the potential of making a substantial amount of money. She also questioned where the funds went and who would keep track of the applications. Vitone noted that the Town Administrator's office would be responsible for the applications and the collection of any funds.

Briggs noted that they only looked at Town fees when they put this together so he would re-write and re-consider the policy.

Vitone asked Gary Howland to come forward to discuss the possibility of a property restriction on a 100 acre site, Assessors' map 38, parcel 9, on Jewell Hill Road by the Conservation Commission. He stated that the funding for this protection is from the Federal Forest Legacy Grant application for the SMP II.

He stated that the Commission is generally in favor of taking on this CR but wanted another commitment from the BOS which may affect the property's long term stewardship and that they are asking if the Town would back the Commission in enforcing the CR. He stated that monitoring would need to be done annually and that it could be done by another group if the Commission is unable to do so. He went on to say that a baseline would be needed to document the present condition and bounds, which he was told could be donated as well.

He stated that two Yellow Book appraisals would be needed at a cost of about \$9k which, upon completion would be reimbursed. He stated that they are asking the Town for the \$9k to go forward with these appraisals. He also noted that they would be reimbursed but that it could take at least a year if not more.

Whitney questioned whether this should go to a Town Meeting vote and Howland stated that he would leave it up to the Selectmen to decide. Howland made note that they would not go too far into this process until they had an MOU from the owners and that this would be the first conservation restriction for the Town.

Vitone noted that this was precedent setting for the Town with 100% of the restriction in Ashburnham.

Marshall Dennis, Chair of the Conservation Commission was also present and noted that the Commission voted at their last meeting to approve this and to go forward. Howland stated that if this didn't go through, the State would notify them and they would go forward to get the MOU from the other groups.

Vitone stated that in summary, this would be the first CR in Ashburnham, ConCom accepted this, the baseline would be donated and the \$9k needed to be outlaid. Vitone also noted that the Forest Legacy had pre-approved this and that it might take a year or even two to get reimbursed.

Briggs stated that this needs to go to Town Meeting as people need the opportunity to vote on this.

Vitone asked if all the members would be in support of this less the money concerns and all three were in agreement to support with the \$9k funds under advisement.

Howland asked what the balance of funds was at this time in the Conservation Fund and Briggs stated that he would check on this for them.

Howland also noted that Bush Hill might be ready for timber harvesting and that the funds from this go to the Conservation Commission. He stated that this could make a lot of money and that some of the funds could pay for the \$9k appraisals.

Dennehy stated that they had received a notice from DCR regarding the acquisition of a conservation restriction on approximately 125 acres of land on Ashby Road which would be incorporated into the state system of parks. He stated that they are asking that this be announced at a Selectmen's meeting and that the Board of Selectmen waive the 120 day notice period.

Dennehy motioned to waive the 120 day notice period on Map 31, Parcel 15 and was seconded by Whitney. Motion carried.

## V. OLD BUSINESS

### A. Review of BOS Initiatives

Dennehy gave an update on the IT Study Committee noting that he hadn't been able to attend the last two meetings but would try to go to the next one. He also noted that Greg Fagan had resigned due to work-related travel issues so, the Committee was looking for another member.

Whitney stated that the Board met in Executive Session before this meeting regarding the short and long term disability insurance possibility for the Town employees. She stated that the Town Administrator had many objectives to research before this could be discussed further.

Vitone stated that the Tax Base Study Committee had their first meeting and they approved the recommendation to submit a grant for wind turbine.

He stated that the Capital Planning Committee met with the Fire Department at their last meeting and they would be meeting with the Highway/DPW next. He noted that the Committee should be ready to report to the Selectmen in about two months.

Vitone stated that the Special Act Study Committee was preparing to meet with the Selectmen for the second meeting in September.

### B. Review BOS Task List

Whitney reviewed the list stating that the task total was 126, at their last meeting they completed 4 which now brings the total completed to 83. She stated that they had 36 pending and 7 to be announced.

### D. Approval of licenses for the Firehouse Pub

Joshua Wright was in attendance as representative for the Firehouse Pub.

Dennehy noted that he had questions on the coin-operated machines license. Briggs stated that there were concerns on the permits but that he spoke with Mike Gallant, the Building Inspector and was told that all the permits had been pulled and everything that was needed was being done. He stated that Gallant would be doing the final inspection on Wednesday, August 19<sup>th</sup> and that the Selectmen should go ahead and sign the licenses and hold them until the final inspection had

been completed. He noted that they didn't want to hold up the opening of the Pub for an additional two weeks just on a formality and the Board agreed.

Dennehy voiced his concerns regarding any procedures they had in place to prevent illegal gambling at their facility. Wright assured the Board that the machines were not that type and that they were all computerized.

Whitney inquired if the dining area was separate from the games and Wright noted that it was all open but that the dining area was away from the games and pool tables, although you could probably hear the noises. He stated that they were shooting for opening this Saturday, August 22<sup>nd</sup>.

Dennehy motioned to approve all three licenses conditionally pending the final inspection on Wednesday, and was seconded by Whitney. Motion carried.

## VI. NEW BUSINESS

### B. Vote on nomination of Inspector of Animals

Vitone stated that the Board needed to nominate Eula Bradley as the Inspector of Animals. It was noted that this position is funded by the Board of Health. Dennehy motioned to nominate Eula Bradley as the Inspector of Animals and was seconded by Whitney. Motion carried.

### C. Approval to submit wind-turbine study grant

Vitone stated that this study would analyze the potential sites for wind-turbines. He stated that they picked out eleven sites some were town-owned while others were privately owned. He stated that the Tax Base Study Committee was looking for support from the Selectmen to apply for this grant. Whitney motioned to approve and was seconded by Dennehy. Motion carried.

### D. Approval of Evaluation Form for Town Administrator

Briggs stated that he generated this form for Department Heads so the same form could be used. He stated that he made it as simple as possible.

Dennehy stated that Briggs may want to make a separate page for future goals and objectives, as they should be looking at retrospective and prospective.

Vitone stated that the gap between the employee and the manager is different and he feels that the employee should do a self evaluation. Briggs stated that he would look into that.

### E. Approval of potential evaluation form for Town suppliers

Briggs stated that this form was set up similar to the employee form. Dennehy stated that this form should be tied in as critical with the negotiated contract.

### F. Recommendation on award of Asphalt Products and Reclaiming

Briggs read the recommendation from Steve Nims, DPW Superintendent, on the bid award for asphalt products and reclaiming. He recommended to award the bituminous concrete in place to P.J. Keating and the reclaiming bid to P.J. Albert.

Whitney motioned to accept the two bid recommendations and was seconded by Dennehy. Motion carried.

Briggs stated that Nims is asking for the Selectmen to approve placing a stop sign at the intersection of Cross and Harris Roads. He stated that because of the detour due to the Lake Road Bridge construction, this intersection had become a safety concern. Whitney motioned to approve the stop sign and was seconded by Dennehy. Motion carried. It was noted by Vitone that the Selectmen's approval is required per the Bylaw.

G. Review of Selectmen's Meeting Agenda Policy

Vitone stated that this policy was due to be changed as the work week at Town Hall has been changed to 4 days now. There was some discussion and then it was determined that the Board would bring this up again at the next meeting.

VII. CONSENT AGENDA

A. Approval of minutes for August 3, 2009 Regular Meeting

Whitney motioned to approve the consent agenda and was seconded by Dennehy. Motion carried.

Whitney noted that Cynthia Lee Rowan had asked to be appointed to the Agricultural Commission. Whitney made the motion to appoint Rowan and was seconded by Dennehy. Motion carried.

VIII. ANNOUNCEMENTS

Whitney read the following announcements:

- Dog licenses are available at the Town Clerk's office
- Farmer's Market – every Monday in Winchester Park

Whitney also noted that the next meeting of the Board of Selectmen would be held on Tuesday, September 8, 2009 at 7:00 p.m. She stated that the meeting is on Tuesday because of the Labor Day Holiday being celebrated on Monday, September 7<sup>th</sup>.

IX. BOS CORRESPONDENCE

Vitone stated that Dave Uminski had sent an email asking about what each committee and board did for the Town. He stated that this information could be found in the Town Bylaws. Whitney volunteered to send a memo to Uminski on what each Board or Committee did.

Dennehy noted that the Board received a letter from Mark Carlisle on his ideas for the use of the Stevens Memorial Building. He noted that they should think about this as an Ashburnham Cultural facility providing more uses for the building.

X. TOWN ADMINISTRATOR'S REPORT

Briggs reviewed his report. A copy is attached to these minutes.

He noted that the following Boards and Committees had openings: Conservation Commission (1); Zoning Board of Appeals (1); Agricultural Commission (2) as well as the IT Committee (1) and the Council on Aging (2) and these opportunities were posted on the Town website.

Briggs gave a brief overview of the status of the Town Hall Flood Damage stating that he had received the hygienist mold report today but had not reviewed it.

Whitney asked if a Hazardous Waste Day could be included on the Town Meeting warrant and Briggs stated that it would. Briggs stated that he would schedule the Town Meeting for mid to late October and that at the second meeting in September he would have the specific date. After some discussion, it was noted that they would discuss the Town Meeting schedule at the next meeting.

Vitone stated that they needed to use Munis in the budget system and Briggs agreed. He stated that he and Nancy interviewed Karen Kucala that afternoon and that she would be hired for 10 to 15 hours a week to help the Town Accountant to get caught up. He noted that Kucala discussed purchase order processing in Munis and how this would be a great tool as well. Briggs stated that he feels that Kucala could probably save the Town some money in training as well.

Briggs stated that he checked with Comcast on the live feed hook up at the Library and that they quoted him \$10,486.28 to get this done. Both Whitney and Dennehy stated that they wanted to meet at the Public Safety Complex in the Training Room and Whitney noted that if there was another state of emergency like this past winter, it would be an ideal situation for the Town to have the live feed at that location.

Briggs stated that he would check this out and that he would also check with Chris Gagnon about the availability of funds. Vitone stated that they needed an evaluation of options, Public Safety Building, Council on Aging and Library.

Whitney asked about when Briggs meets with the Department Heads if he would report to the Selectmen at their meeting regarding any ongoing projects or situations in the different departments and Briggs stated that he would be doing so as he would be meeting with them the same day as the first Selectmen's meeting each month.

There was some discussion on the repair of dams in the Town and who should be paying for this.

Dennehy stated that he wanted to see the RFQ bid results and numbers on the Water/Sewer Engineering Services. He stated that he wanted to see the quantified list and that the public should be involved in the process. He added that they need a measurable benchmark. Vitone suggested that they see if it could also include road capability as this might be of benefit to the Town in getting a better value.

Briggs stated that Anne Cervantes and Lori Capone did a great job of compiling a book for each Selectman with all the Town-owned properties and related information. He also noted that tax liens in the amount of \$400k should be looked at as well. Dennehy stated that the Board should independently go through the book provided to them and categorize the properties and then agree on a master list. Briggs stated that the Treasurer has another 60 to 70 properties besides this list in the process of being taken. Dennehy stated that they were long overdue to act on this as it should be done annually. It was noted that this would be discussed at the next meeting and would be placed on the agenda.

Whitney asked Briggs what the status was on the NIMS Training and Vitone stated that a list should be made with a timeline to get this accomplished. It was noted that this would be discussed further at the next meeting.

Whitney also inquired about the certification of an emergency shelter and Briggs responded that the Fire Chief was working on this.

Whitney asked for a list of the Town's pending legal issues and Briggs stated that he would inquire and summarize with a report to the Board.

XI. SOLICIT PUBLIC INPUT

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

At 9:30 p.m. with no further business to discuss, Whitney motioned to adjourn the meeting and was seconded by Dennehy. Motion carried.

Respectfully submitted,

Sylvia Turcotte  
Assistant to the Town Administrator