

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
NOVEMBER 2, 2009 – 7:00 P.M.
FAIRBANKS MEMORIAL TOWN HALL – UPSTAIRS MEETING ROOM**

This meeting was aired live on local cable television.

PRESENT: Ed Vitone, Chair, Maggie Whitney, Clerk, Jonathan Dennehy, Member, 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 7:02 p.m.

Vitone stated that they would postpone the Public Input portion of the meeting until after the presentation from Senator Brewer and Representative Rice.

III. APPROVAL OF AGENDA

Whitney noted that they should add the presentation by Jackie Bresnahan from the Oakmont Student Council to the agenda. It was also noted by Vitone that they would add under New Business, the approval of the STM warrant and the potential DCR purchase. *Whitney motioned to approve the agenda as amended and was seconded by Dennehy. Motion carried.*

IV. PRESENTATIONS & REPORTS

A. Senator Brewer and Representative Rice

Vitone thanked Brewer and Rice for attending this meeting and gave Senator Brewer the floor.

Brewer began by noting the catastrophic loss in State income, calling it a “global economic tsunami”. He stated that there was \$2.1 to \$2.2m less in the budget and that the outlook was bleak. He noted his displeasure in the \$18m cut in the Regional School Transportation funding, adding that he was very troubled by this.

Brewer also pointed out that cities and towns will only see recovery in 12 to 18 months and that FY11 will be a bleak budget. He added that right now the State only has \$563m in their rainy day fund, far less than what it should be.

On another note he stated that right now 97.3% of residents in the state have health insurance. He also stated that the Massachusetts 4th and 8th graders are ranked the highest in academics in the United States. He stated that we need to be flexible in Massachusetts government.

Rep. Rice agreed with Sen. Brewer’s statements. He noted that the unemployment rate in this state was 9.3% and in this area it was 10%. He stated that they are predicting the jobless end to this recession but, with the economy in this area so dependent on colleges, hospitals, etc. you may be looking at recovery but not for at least two years or longer.

Rice stated that we need to make things easier for small businesses. He also noted that the budget will be “grim” next year.

He agreed with Brewer that the Regional School Transportation cuts were very serious for the towns involved as well as the schools.

Rice repeated that it would be a grim two years ahead.

Dennehy noted that the \$228k cut in our Regional School District was very dramatic and that he was very concerned. He added that it sends a conflicted message for potential regionalizing.

Vitone stated that he was looking for companion legislation on the Quinn Bill. Brewer responded that there is a lot of negativity, even though the Quinn Bill is a good thing but that the “stars are aligned to faze it out”. Rice agreed stating that it’s not a universal program.

Whitney stated her concern that they would “tax our way out of this recession” with sales tax even on services. Brewer stated that some good does come from raising taxes and that he voted in favor of the 6.25% tax increase which earned \$900k. He added that he couldn’t guarantee that taxes won’t be raised again.

Briggs brought up unemployment and the bill extending benefits for an additional 20 months and whether the towns would be responsible for this additional cost. Brewer stated that he would have to get back to him on this question.

Rice stated that he agrees with Brewer on the tax situation but he felt that we had reached our limit on taxation and added that he voted against the increase stating that “we can’t tax our way out of a recession”.

There was some discussion on the Briggs School project and the MSBA’s reduction in building funds and how it would affect the waiting list.

Briggs inquired on why they rejected the bill to remove the \$.22 gas tax on municipalities and Brewer responded that “they just needed the money”.

Rice extended a public thank you to the Ashburnham Light and the Board of Selectmen in communicating with residents during the Ice Storm crisis. He noted that they did a great job.

Whitney inquired if the sales tax would go down once the economy improved and Brewer stated that it likely would not because then how would they fill the \$90m gap in the State’s budget. Rice noted that he hoped it would decrease because he thought it was unfair.

Vitone thanked the Senator and Rep. Rice for their attendance at this meeting.

II. SOLICIT PUBLIC INPUT

At this time, Jackie Bresnahan, the Student from Oakmont who was assigned to the Board of Selectmen was asked to come forward and present an update of school activities. She presented a list of activities at Oakmont for the next few weeks which included a concert and Veterans Day services, just to name a few.

Vitone thanked her and added that this was a good start to the program of student participation in Town government.

IV. OLD BUSINESS

A. Review of BOS Initiatives

Whitney stated that they are still looking for members for the South Station Study Committee.

Dennehy noted that he attended the last Briggs Building Committee meeting and that plans are moving forward.

Dennehy also noted that the IT Study Committee worked with Doug Briggs and came up with an RFP which was sent out to nine requesters and that they were due by November 30, 2009. He stated that this was a good effort between the Committee and the Town Administrator.

Vitone noted that the Capital Planning Committee would meet one more time before they would come forward to the Board of Selectmen with their recommendations. He stated that the Tax Base Committee needed a few more meetings before they presented their recommendations and the Special Act Study Committee finished the Bylaws and would also need one more meeting.

B. Review BOS Task List

Whitney stated that they were at 84% completion on their task list at this time.

C. Discussion on possible sale of Town Owned properties

Vitone stated that the list of properties had been consolidated with the Selectmen's comments. He stated that they would review the Lake Watatic parcels and asked Gary Howland, Paul Somers and Marshall Dennis to come up to discuss their concerns regarding these parcels.

Howland stated that these parcels have been discussed for the past 7 or 8 years with the Board of Selectmen and noted that they should be under the Conservation Commission thru a Town Meeting vote and that it would only be a short term fix if they were sold.

Somers stated that these parcels are one of the "crown jewels" in Ashburnham and that they are mainly wetlands which couldn't be developed. He added that they would be a great access to the lake resources. He stated that the largest of the properties could be a great place for picnics and they should view this as something as a long term benefit for the Town. Marshall Dennis agreed with Somers and added that it is a tremendous asset to the Town.

Whitney read a letter from Donald V. Lemay who also voiced his opinion to not sell the properties and he added that they could possibly be sold or managed by the Lake Association.

Howland stated that he was asking the Town to please hang on to these properties. Dennis noted that all four parcels have lake frontage.

Dennehy noted that the properties on the list were not on the tax roll and that they needed to remedy this. He added that they should find creative ways to meet the needs of residents and also the Town.

Vitone stated that he had an idea to consider with the scenario to leave these properties in a conservation state with the Town ownership. Howland stated that this may be a possibility. Vitone stated that he was an advocate of conservation and that this could be a viable solution. A short discussion followed on ways to proceed including a suggestion by Howland to put this at Town Meeting for a vote.

Vitone stated that it was the Selectmen's call and that they needed a way to get revenue to the Town and to conserve conservation interests in order to satisfy all objectives. He stated that they would give ConCom a two month period to look at the parcels in question and to study them and then report back to the Selectmen. The parcels included May 56, Parcels 42, 43, 44, 46, 48 and 52.

The Board then proceeded to review the list by parcel. *Dennehy motioned to accept the recommendations as discussed and was seconded by Whitney. Motion carried.* Recommendations are as follows:

Parcels to be sold	Map 4, 31 Depot Road
	Map 4, 31A Deport Road
	Map 8, 9F Ferin Road
	Map 13, 57 Sherbert Road
	Map 13, 59 Sherbert Road
	Map 14, 71 Hunter Avenue
	Map 21, 120 Old Reservoir
	Map 33, 57 Ashby Road
	Map 44, 12 Sunset Drive
	Map 44, 23 Holiday Road
	Map 44, 50 Holiday Road/West Shore
	Map 45, 58 West Shore Drive
	Map 45, 90 Sunset Lake Lot 658
	Map 45, 95 Sunset Lake Lot 653
	Map 45, 98 Gold Mine Road
	Map 47, 50 Penacook Drive
	Map 47, 80 Dunn Road
	Map 47, 81 Dunn Road
	Map 47, 82 Dunn Road
	Map 48, 3 Sunset Lake Lot 176
	Map 48, 165 Dunn Road
	Map 55, 19 Kane Road

Map 55, 38 Lakeshore Drive
Map 55, 39 Lakeshore Drive
Map 55, 40 Lakeshore Drive
Map 56, 3 Lakeshore Drive
Map 56, 19 Lakeshore Drive
Map 58, 40 Cross Street
Map 61, 27 Fairview Avenue
Map 65, 32 Winnecowett Drive
Map 99, 164 Off Winchendon Road

Parcels to sell as RFP: Map 20, 96 Williams Road
Map 38, 28 Gibson Road
Map 44, 22 Holiday Road
Map 49, 8 Dunn Road (off)

Parcels held –Conservation: Map 5, 10 Sherbert Road
Map 23, 10B Stowell Road
Map 40, 8G Rindge Turnpike Road
Map 44, 67 West Shore Drive
Map 44, 70 West Shore Drive

Parcels to keep: Map 17, 10 Off Central Street
Map 17, 12 152 Center Street
Map 58, 12 Center Street
Map 58, 13 Off Center Street
Map 60, 27 Westminster Street
Map 61, 48 Central Street

Parcel under contract for sale: Map 56, 61 Lakeshore Drive

Parcel under review: Map 59, 55A Whitney Drive

Parcels review by ConCom: Map 56, 42 Lakeshore Drive
Map 56, 43 Lakeshore Drive
Map 56, 44 Lakeshore Drive
Map 56, 46 Lakeshore Drive
Map 56, 47 Lakeshore Drive
Map 56, 48 Lakeshore Drive
Map 56, 52 Lakeshore Drive

Vitone stated that the Board had received correspondence from DCR on the consideration of acquisition of a parcel of land, Map 33, Lot 10 off Kelton Road in Ashburnham, which is the Mt. Hunger property. Again, Gary Howland, Paul Somers and Marshall Dennis asked to be heard by the Board. Howland stated that this property was owned by the Biels Trust, under Chapter 64. He stated that it was the Mt. Hunger parcel and that they had been working on this for 6 years now. He noted that it was comprised of 170 acres with a price tag of \$700k. He stated that the Ashburnham Conservation Trust has committed to this purchase and the State would pay for it. He stated that they were asking the Board of Selectmen to sign the 120 day waiver so that this could be done before the end of

the year and added that if it is delayed it would cost the Trust some money. He noted that the owners of this property had been working with the Trust and that they desire to protect it. He also stated that some forest management would occur. He noted that this property is the “second jewel in Ashburnham”.

Vitone noted that if we preserve 100% of the land in Town, there would be no revenue for Town government and that they needed to find a way to blend conservation with the Town needs.

There was some discussion on the possibility of wind turbines in this area. Marshall Dennis noted that this was a prized piece of natural legacy which is not conducive to wind generation.

Howland stated that they were running out of time to go forward with this acquisition and that it would be at no cost to the taxpayers.

Whitney noted that she agreed with both Howland and Dennis that this piece of property was a “gem” and that she was willing to sign the waiver.

At this time Whitney motioned to sign the waiver and was seconded by Dennehy. Vitone voted “nay”. Motion carried.

D. Announcement of vote on Quinn Bill

Vitone gave some history on what had transpired with the Quinn Bill issue. He also commended Briggs and the Union for coming to an agreement on this issue.

E. Further discussion on Bresnahan Scouting Center

Vitone stated that he had been working with the Bresnahan Committee on other locations for the Scouting Center and that they had chosen the old Caouette property in South Ashburnham as the anchor location. He added that the scouts would help to clear out Whitney Pond and work the area as a version similar to the City of Gardner’s Dunn Park.

Briggs noted that this property would remain town owned and Vitone added that it would be a community/municipal building and that they would need to figure how this would work, re: lease or other. Dennehy stated that the Committee had concerns about taxes and that they should contact Coppola & Coppola regarding this issue and also look at the Monty Tech program as well.

V. TOWN ADMINISTRATOR’S UPDATE (Report attached)

Briggs began his report by stating that he would ask the Board of Selectmen for a motion for the Conservation Agent’s salary transfer.

Whitney read the motion as follows: “Motion to transfer monies out of the State Wetland Fee Fund, account #28000-31521 to supplement the Conservation Commission’s FY10 Budget. Monies shall be expended out of the State Wetland Fee Fund on a bi-weekly basis to defray the costs associated with the Conservation Agent’s salary. Said allocation shall not exceed \$10,000 in total.” Dennehy seconded and the motion carried.

Briggs then proceeded to go over the highlights of his report to the Selectmen, which is attached to these minutes.

Briggs stated that at this time, the use of the Council on Aging Town van needed the approval of the Board of Selectmen, but that the Board could transfer this authority to him. He stated that he needed the guidance of the Board of Selectmen on this issue and that the van would be used for medical trips only.

Whitney motioned to transfer the authority to approve trips with the Town Van to the Town Administrator and to keep the Board of Selectmen informed. Dennehy seconded and the motion carried. Vitone also noted that there should be criteria for use of this van and Briggs stated that the Council on Aging Board would always approve first and would set the criteria.

VII. NEW BUSINESS

A. Approval of the Warrant for the Special State Primary of December 8, 2009
Dennehy motioned to approve the Warrant for the Special State Primary of December 8, 2009 and was seconded by Whitney. Motion carried.

B. Approval of the November 19, 2009 Special Town Meeting Warrant
Vitone stated that there were questions on Article 7 of the STM Warrant and Briggs gave the Board a little more information to clarify it further. *Whitney motioned to approve Article 7 and was seconded by Vitone. Dennehy noted that he was still not in favor of this article. Motion carried.*

Whitney noted that after receiving new information on Article 9, she wanted to reconsider her vote to recommend. *Whitney made the motion to open article for more discussion and was seconded by Dennehy. Motion carried.*

Whitney stated her concerns regarding this article and the reason why she wanted to change her vote. Dennehy noted that it was funded by users of the system, not the Town and that it had been discussed at the Annual Town Meeting in May. He added that this was a necessary service in the Town.

Vitone noted that the Capital expenditures with this would be over the \$15k in the Capital Plan. Dennehy noted that they could reduce it to under \$15k at the Special Town Meeting and Vitone stated that it would eliminate this concern. Whitney stated that there still were a lot of unanswered questions, such as the maintenance on the boxes.

Briggs explained that this was all owned by the Town and was not only a fire system but burglar alarms as well which included for the water pump station. He stated that the fees charged were to buy equipment and the cost of dispatch. He again noted that this was totally funded by user fees. He did add that the batteries only lasted for a three year period so \$30k for the back up unit would need to be available eventually. He also stated that if this was not funded by a revolving fund before June then they would need to go to the Reserve Fund or have no program at all. He ended by stating that this is a service to the Town.

Johnson stated that when it was voted on at the Annual Town Meeting in May, they didn't get any details on it. He added that he was not in favor of going into the alarm business and right now there was no plan or fee schedule set.

Vitone stated that no decision would be made here but that it could be made easier by changing the amount to under \$15k for the revolving fund. He stated that the concern is the scope of services and what services should the Town be providing.

Johnson stated it was not appropriate to bring in money to purchase equipment and how to spend this money. Dennehy suggested that they bring in Chief Zbikowski in and ask questions as he may have a plan and answers to these questions.

Vitone stated that this was a good idea and that they didn't realize the scope and would have Chief Zbikowski come to their next meeting and explain how this works. He also noted that they should get something in writing beforehand from the Chief for their review. He stated that they would invite the Advisory Board to this meeting.

Vitone stated that this article is on the warrant but Whitney asked that it be reconsidered and asked if it should be blank under their recommendation. ***Vitone motioned to withdraw the Board of Selectmen's recommendation on Article 9 and was seconded by Whitney. Motion carried.***

It was decided that the next Board of Selectmen meeting on November 16th would have a light agenda in order to review the warrant and to have Chief Zbikowski in attendance to explain Article 9. Vitone also stated that they would invite Town Counsel, Jeff Lawrence, the Moderator and Linda Ramsdell, the Town Clerk to attend and that this meeting would be posted as a Joint Meeting along with the Advisory Board. It was also noted that a Joint Meeting would be posted for 6:00 p.m. on Thursday, November 19th before the Special Town Meeting.

VIII. CONSENT AGENDA

Dennehy motioned to approve the Consent Agenda and was seconded by Whitney. Motion carried.

IX. ANNOUNCEMENTS

Dennehy noted that passing of resident Sandy Laplante who worked diligently on the Page Beach project and added that the Town had lost a dedicated volunteer.

Vitone also noted the passing of Alida Herring on October 25th who was the Administrative Assistant for the Town of Ashburnham from 1988 until 2001 and also served as the Interim Town Administrator. He stated that she always had a smile and that she was very dedicated to the Town.

He noted the passing of Art Johanningsmeier on October 20th stating that he was always a gentleman and that he had served on a number of boards and committees in Ashburnham which included the Solid Waste Executive Committee, the Conservation Committee and the Planning Committee through the years.

Whitney read the following announcements:

- November 9, 2009 – Final Registration for the Special Town Meeting – 8:00 a.m. to 7:00 p.m. Town Clerk's Office, Town Hall
- November 18, 2009 – Final Registration for the State Primary – 8:00 a.m. to 8:00 p.m. at Town Clerk's Office, Town Hall
- November 19, 2009 – Special Town Meeting @ 7:00 p.m. Upstairs Meeting Room at Town Hall
- December 7, 2009 – 12:00 noon – last day for filing applications for absentee ballots for voters who will be out of town for the State Primary.
- December 8, 2009 – State Primary – Polls open at 7:00 a.m. close at 8:00 p.m. at J.R. Briggs Elementary School 96 Williams Road.
- December 30, 2009 – Final registration for the State Election – 8:00 a.m. to 8:00 p.m. at Town Clerk's Office, Town Hall
- January 15, 2010 – 5:00 p.m. – last day for filing applications for absentee ballots for voters who will be out of town for the State Election.
- January 19, 2010 – State Election – Polls open 7:00 a.m. close at 8:00 p.m. at the J.R. Briggs Elementary School 96 Williams Road.

Whitney also announced the Veterans Day Services on Wednesday, November 11th and stated that she would be speaking at the program on behalf of the Board of Selectmen.

Whitney noted that with the budget cuts they should lead by example and noted that as an example of this, Briggs opted not to go to the conference this year. She added that the members of the Board of Selectmen should follow this example and either not attend the MMA meeting this year or opt to pay out of their own pocket to attend.

X. BOS CORRESPONDENCE

XI. SOLICIT PUBLIC INPUT

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

At 10:14 p.m. Whitney motioned to adjourn the meeting and was seconded by Dennehy. Motion carried.

Respectfully submitted,
Sylvia Turcotte, Assistant to the Town Administrator