

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
MAY 4, 2009 – 6:30 P.M.
FAIRBANKS MEMORIAL TOWN HALL – UPSTAIRS MEETING ROOM**

This meeting was aired live on local cable television.

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

Pledge of Allegiance.

- I. REORGANIZATION OF BOARD OF SELECTMEN: It was noted by Vitone that the reorganization of the Board was done at their last meeting on April 30, 2009. It was voted at that meeting to appoint Ed Vitone as Chair, Jonathan Dennehy as Member and Maggie Whitney as Clerk.
- II. APPROVAL OF AGENDA: At 6:30 p.m., Vitone read the agenda and noted a few additions, two items under Old Business, (D) IT Committee and (E) Critique of Town Meeting. He also added the following under New Business: (A) Overrides; (B) New Initiatives; and (C) Staffing of Committees. Dennehy motioned to approve the agenda as amended and was seconded by Whitney. Motion carried.
- III. PRESENTATIONS & REPORTS

- A. **William J. Bresnahan Scouting & Community Center Committee update:** In attendance were Ron Skaife and Harry Powers. Skaife noted that this project began back in 2003. He stated that the Conservation Commission is holding up progress at this time. He stated that the drawings are done, almost all permits have been issued and they are coming forward with the lease. Dennehy asked if any meetings were scheduled now with ConCom and Skaife responded that there was and that Val Daigle was working with them and added that they really want to get this going. He noted that they are presently on the agenda with Monty Tech for the construction.

Dennehy noted that the proposed lease looked good and was a 99 year lease. He added that the Town would continue to own the land but would lease it to the non-profit. He also stated that they would build the structure and lease it for a \$1 a year and the Town would insure. They would pay the Water/Sewer costs once connected. He did inquire as to what would happen if the Bresnahan, Inc. was no longer in existence and Skaife stated that it would go to the Town in that case.

Whitney noted her concerns that the Town would be responsible for the structure. Vitone noted that he was in favor but with parking being a concern in the downtown area, they might consider making a parking area there as an option, as it would help the downtown area as well as the scouts. He also voiced his concern about liability insurance with no indemnification for the Town. He noted that they may need a rider from the Scouts as the policy should recognize this coverage.

Vitone noted that it would obligate the Town to make any repairs without going to the voters first so they would need a technicality to address this. Dennehy stated this deal has been discussed for some time as they wanted this to remain town property and a town building. Vitone again stated that this deal has default language in it and that this was a concern. He added that they should plan to discuss this further at their next meeting and get more information. Dennehy noted that this project has a lot of public backing and they would not

want to get bogged down with technicalities as this is a Town-based project. Whitney agreed that they need to define this a little more clearly. Vitone stated that the lease needs to be correct and that they were not against the intent.

Harry Powers stated that they have worked very hard on this for the scouts and other groups in Town and that they would need to once again go before ConCom regarding a possible parking lot as they had planned to keep the park very colonial and this may not fit in the plan. He also noted that the facility would be alcohol and tobacco free.

Vitone stated that he would look into the liability issue further and would advise of any changes. Thidemann noted that he would have Town Counsel review it but that it wouldn't be in time for the next meeting. Before Skaife left the meeting he stated that they are trying to reach \$100k from donations for this project. Whitney stated that the Board was all in support of this project.

IV. OLD BUSINESS

- A. Further discussion on the Special Act Study Committee:** Vitone noted that they had one more person to appoint to this committee, Lois Somers. Whitney motioned to appoint Lois Somers to the Special Act Study Committee and was seconded by Dennehy. Motion carried. Vitone stated that he would write a charge for this committee and present it at their next meeting.
- B. Further discussion on the future of So. Station:** Whitney stated that they should form a committee to look into what to do with So. Station with one member of the Board of Selectmen to serve. Vitone agreed with this suggestion. Whitney asked for volunteers to serve on this committee. Dennehy motioned to form a committee to study the future of So. Station and to appoint Whitney as the Selectmen's representative on this committee and was seconded by Vitone. Motion carried.
- C. Further discussion on the Affordable Housing Trust Committee:** Vitone stated that he questioned what duties would be involved and he noted that he thought the committee itself would dissolve into the Trust. Whitney noted that they would need at least 5, but no more than 7 members and she thought they were a separate entity from the original committee. Vitone asked for volunteers to serve on the Affordable Housing Trust Committee.
- D. IT Study Committee:** Vitone stated that they had the following persons who have voiced an interest to serve on this committee: Donna Burton, Joe Kalagher, Kyle Johnson, Gregory Fagan and Duncan Fyfe. Dennehy motioned to appoint all five to the IT Study Committee and to draft an interim charge. Whitney seconded and the motion carried.

Whitney also mentioned that there was a vacancy on the ZBA as Tom Ruble resigned.

- E. Critique of Town Meeting:** Whitney stated that Town Meeting went really well and that the meeting on the Thursday before was a good idea as it clarified a lot. Dennehy noted that he felt it went well also and that he heard good things. He also agreed that the Thursday night meeting was a good idea. Vitone noted that both Norm Thidemann and Sylvia Turcotte did a good job.

V. NEW BUSINESS

- A. Overrides:** Thidemann noted that in regards to scheduling the election, the school would like to schedule it later but with the roads override question, it needed to be sooner. Vitone agreed, stating that with the Roads Program, they need to take advantage of prices now.

Thidemann stated that they could schedule the election either on June 9 or June 16th. Dennehy noted that the school schedule is important and the election needs to be coordinated with the school district. Thidemann stated that if a second vote is needed, it could be scheduled in August. Dennehy stated that they should put all three override questions in June. Thidemann stated that Vitone would check with the school. He also noted that the wording would need to be set by the next day if June 9th was chosen as the date and that if June 16th was picked they would need the wording by May 12th. Vitone inquired about having the voting here at Town Hall which would take the school out of the equation and Dennehy stated that they could check with the Town Clerk. There followed some discussion on the timeframe of the election.

Whitney stated that they should go with June 16th and Thidemann stated that he recommends the 16th as well. Dennehy noted that this would need to be coordinated with Westminster. More discussion followed on the date for the election. It was determined that they would tentatively set the election for June 16th and that Vitone would check with the school and also with the Town Clerk on the possibility of having the voting at Town Hall. Vitone stated that he would also call Westminster on the date.

- B. New Initiatives:** Vitone stated that he had suggested an offsite meeting of the three Selectmen to discuss working together in order to list their strengths and weaknesses. He stated that they would work together to maximize the Board of Selectmen's strengths. He stated that he checked with the District Attorney's office before he set this up to be sure it was okay and that he also asked the Town Moderator to sit in to be sure it's done well and legally. Dennehy noted that self assessment is a good thing, and would build teamwork as well. Vitone stated that he suggested one meeting to understand relationships and another for other issues. Whitney stated that as long as they follow the open meeting law she had no problem with it.

Whitney made the motion to hold a retreat and was seconded by Dennehy. Motion carried. Vitone stated that he would schedule it and get Jeff Lawrence scheduled as well. He noted that they should work on the strategic areas.

Dennehy noted that they should add the sewer contract with Gardner to their strategic list and added that he was impressed with both Whitney's and Vitone's lists. Whitney stated that they did a lot this past year. Vitone stated that he would put the list together and note six items to work on.

- C. Staffing of Committees:** Whitney noted that she wanted to continue working with the School Committee and as an alternate as the MRPC representative for Ashburnham. Dennehy noted that he would serve on the J.R. Briggs Committee in Gagnon's place. He stated that he was on the Capital Planning Committee now and he completed his service on the Village Center Committee. He also stated that he was now on the Gardner CDC as well. It was noted by Vitone that perhaps there should only be one Selectman on the Capital Planning Committee. Whitney stated that Vitone should continue as the Chair of this Committee. Whitney motioned to have Dennehy replace Gagnon on the Briggs Building Committee and Vitone seconded. Motion carried.

VI. CONSENT AGENDA

VII. CHAIR'S REPORT AND ANNOUNCEMENTS

Vitone announced that there would be a special meeting of the Board of Selectmen on Monday, May 11th at 7:00 p.m. to set the date for the Election and to approve the ballot questions.

Dennehy noted that they should go back to the 7:00 p.m. start for their meetings. All were in agreement. Whitney motioned to change the schedule permanently to meet at 7:00 p.m. and was seconded by Dennehy. Motion carried.

VIII. BOS REPORT AND CORRESPONDENCE

Whitney stated that the next day she would be attending the GGC of C award meeting and that the Public Safety Complex would be receiving a Municipal Improvement Award as well as Stan Herriott from the Light Department.

When Vitone asked for any public input, Gail Dumont stated that day care should be offered for the Town Meetings and Vitone stated that it was a good idea.

IX. TOWN ADMINISTRATOR'S REPORT

Thidemann asked the Board of Selectmen to make a motion to declare an emergency regarding the water damage to the servers at Town Hall for the DOR as they couldn't put this out to bid.

Whitney made the motion to declare an emergency as a result of flood damage to the basement of Town Hall authorizing the Town Administrator to incur liability in excess of appropriation. Dennehy seconded and the motion carried.

Thidemann noted that there were "eight million" things to do with this emergency regarding the payroll situation. He did state that it could be fixed by the end of the week but he wasn't certain.

He noted that he was working on getting the road article information on the website as well as the revolving funds balance information from last June.

He stated that his main task when he returns from his vacation would be to work on the transfers for FY09 which the Board of Selectmen and Advisory Board would have to approve. He added that he wanted to do this before he left.

Thidemann thanked all the employees and the public for their patience through the flood situation.

He also announced that Don Ouellette, the DPW Director was leaving the Town's employ and that he was working on a list of things that he has accomplished as well as how to restructure the DPW. He added that they would need to discuss this further.

He also noted that he would need to work on purchasing and regional dispatch.

X. EXECUTIVE SESSION

At 8:02 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 pending litigation and not to reconvene into regular session. Whitney seconded and the motion carried.

XI. ADJOURNMENT

At 9:00 p.m., Whitney motioned to adjourn the meeting and was seconded by Dennehy. Motion carried.

Respectfully submitted,
Sylvia Turcotte, Assistant to the Town Administrator