

**TOWN OF ASHBURNHAM
JOINT MEETING OF THE BOARD OF SELECTMEN
AND ADVISORY BOARD – MINUTES
TUESDAY, FEBRUARY 17, 2009
VON DECK LECTURE HALL – OAKMONT REGIONAL HIGH SCHOOL**

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

PRESENT: Chris Gagnon, Chair, Jonathan Dennehy, Member, Kevin Paicos, Town Administrator and Sylvia Turcotte, Assistant to the Town Administrator. Maggie Whitney was not in attendance due to illness. Advisory Board members in attendance were Dottie Munroe, Bill Johnson, Leo Janssens II, Ron Reed and James Piedrafite.

I. APPROVAL OF AGENDA: At 6:35 p.m. Gagnon read the agenda. Dennehy motioned to approve the agenda and was seconded by Gagnon. Motion carried.

II. PRESENTATIONS, REPORTS & CORRESPONDENCE:

A. **Discussion with Special Counsel for Tax Matters, Coppola & Coppola and Treasurer, Anne Cervantes:** Jim Coppola and Anne Cervantes were present. Paicos began the discussion by stating that he asked Coppola and the Treasurer to be at this meeting to take a look at any opportunities or techniques available to the Town to attain more income. He noted that there may be new methods of collection.

Anne Cervantes noted that the last auction the town held on foreclosed properties was in 2005. Dennehy noted that this should be done every couple of years and he added that Cervantes should work with the Assessors and the Collector on a list and the Board could review it in the spring with the auction in the summer or fall.

Cervantes stated that there were probably 25 properties that had been foreclosed on but that not all of these properties were feasible to sell. Gagnon noted that they should identify properties and choose a time for an auction. Jim Coppola stated that right now it was not a good time for an auction due to the economy but they could look at the end of spring or early summer but before that they would need to review all the properties.

A discussion followed on the possibilities of selling tax liabilities themselves after which Gagnon noted that it would be prudent to put together a list for an auction this summer. Paicos stated that they had only budgeted \$10k for this and he suggested a Special Article at town meeting for more funds as they could get a good return.

A discussion followed on tax title revenue and the state's ruling and how this would impact the Town. Also discussed was low-value tax taking and Dennehy noted that they should start putting together the list of properties with field cards and a copy of the deed along with copies of the Assessor's maps. He asked Cervantes to work with Donna Burton and Carla Clifford on this.

The concept of a tax amnesty program was discussed as well.

It was noted by both Paicos and Dennehy that Jim Coppola had done a very good job for the Town at a very reasonable cost, throughout the years. They also thanked Cervantes for her achievement in collecting over \$400k for the Town.

- B. Discussion – Water/Sewer issues:** Present were Nancy Haines, Town Accountant, Mark Abraham, Consultant, Don Ouellette, DPW Director and Dave Berger, Water/Sewer Commissioner. Abraham distributed reports to the Selectmen and touched on the highlights in this report (attached). He noted that part of the issue is Water collections up by 24%, which is almost half of the budget. He stated that the Sewer collections went down by 11%.

Paicos noted that Mark Abraham was asked to attend this meeting to illustrate the problem and to discuss the possible solutions.

Abraham stated that the Sewer Fund is in much better shape than the Water and proceeded to explain this through his report. He noted that the issue is now to absorb the deficits. There was a short discussion on whether the Sewer costs could be assessed to the town and the regional school. It was suggested by Paicos that they ask Deb Phillips to work with Cathy Cleary from the DOR to get some kind of agreement on this issue.

There followed a short discussion on sewer assessment payments.

Paicos noted that the rate base was too small to support the Sewer causing the deficit and adding to this, Gardner charges the same as their customers/residents and they have to recognize that Ashburnham needs to be charged less because of the up front fee of \$1m that we gave them. He added that the Town should stop paying the difference and put this before a judge as it is overdue. This was discussed further.

Berger noted that his recommendation would be to deduct personnel benefits as the Water/Sewer Commissioners have very little control over the spending. Paicos stated that trimming the budget is not a fix and the Town cannot sustain this sewer system. He stated that the system would be bankrupt in two years so they need a dramatic plan. He added that this could include either getting more participants or on-site sub service septic disposal.

There was also some discussion on a more aggressive collection system. Abraham stated that a strong collection system would be implemented by the Commissioners in the next few weeks and this would include shut-offs to minimize and eliminate the deficit for this year. Ouellette stated that the demand letters would be sent out in 2 or 3 weeks with payment due before April 15th or they would be shut off.

Dennehy made the motion to authorize the Water/Sewer Commissioners to send water shut off notices as stated above and was seconded by Gagnon. Motion carried.

Paicos recommended that they ask for a discussion with the DOR to legally restore payment by the Town and to also look at the budget.

- C. Public Meeting to adopt Pre-Disaster Mitigation Plan:** Gagnon explained how MRPC had given the Town a great basic outline. He noted that the Town had to adopt

and implement the plan and assign a panel. Gagnon made the motion to appoint the Fire Chief, the Police Chief, the DPW Director and the Town Administrator as ex-officio to the Ashburnham Emergency Management Committee, with the potential for more members in the future. Dennehy seconded and the motion carried.

Gagnon read the proclamation (attached) as a motion and was seconded by Dennehy. Motion carried. He noted that this proclamation would be turned in to the MRPC, FEMA and MEMA and added that this committee would hold meetings annually. It should be noted that the School as well as the seniors in Ashburnham voiced their interest to be involved in this committee's work.

- D. Correspondence:** Gagnon announced the Tri-Board Meeting on February 24th at 7:00 p.m. at Overlook Middle School in the Library.

He also noted that the Board received a letter from Sheriff Glodis regarding the appointment of Constables and not reporting their income but that it was determined this was not relevant to Ashburnham.

Gagnon also noted that the agreement made with the new Town Accountant, Nancy Haines was reviewed by Town Counsel and is fine.

Dennehy noted that John MacMillan, on behalf of the Village Center Zoning Study Committee had requested the use of the upstairs meeting room at Town Hall for a Public Hearing on Thursday, March 26th at 7:30 p.m. He stated that this was the public's opportunity to learn and ask questions. He also noted that the weather should be milder by that time and that the upstairs at Town Hall would be okay to use. Gagnon motioned to authorize the use of the upstairs meeting room at Town Hall for the Public Hearing on March 26th and was seconded by Dennehy. Motion carried.

- E. Town Administrator's Report:** The report is attached to these minutes. Paicos stated that he would be working on his final FY09 budget report in the next few days.

Gagnon asked that Ed Schlott, the Custodian at Town Hall, get some weather stripping for the side door and to look into a timer for the outside lights and Paicos noted that he would ask Ed to do this.

Paicos then announced the new fuel oil bid results and noted that Roy Bros. was awarded the bid. He stated that he was pleased to award this to Roy Bros. as they are a local company.

He touched on the status of the computer IT budget noting that FY10 was okay but that the FY09 budget was a "train wreck". Gagnon asked if they could get a competitive bid on the IT and Paicos stated that they could. Dennehy noted that it would be on Norm Thidemann's list of projects. Paicos stated that we are basically locked in for the servers lease at \$30k and \$20k for Munis. He did add that the \$20k currently with Guardian could be bid. He noted that he would find out when the leases were up on the servers.

Paicos stated that the report he presented at this meeting was his list of ongoing projects to pass over to the Interim Norm Thidemann.

Paicos stated that the Selectmen needed to vote to accept the gift from Cushing Academy with respect to the Public Safety Building. Gagnon motioned to accept the gift of funds from Cushing Academy for the Public Safety Building and was seconded by Dennehy. Motion carried.

F. Public Safety Building Committee update: Gagnon stated that there was nothing new to report.

G. Chairman's Report: Gagnon noted that he had nothing to report at this time.

III. OLD BUSINESS

A. Vote on Agreement for Animal Control Services between Ashburnham and Westminster: Police Chief Barrett was present and explained the agreement stating that there shouldn't be any issues that he could foresee. He noted that the costs would be shared 50% by each town.

Dennehy motioned to enter into the agreement for the Animal Control Services between Ashburnham and Westminster as written and was seconded by Gagnon. Motion carried. It was noted that they would hold the paperwork for Whitney's signature.

B. Discussion – Interim Town Administrator: Dennehy stated that he sent the agreement to Norm Thidemann for his review and signature and he has sent it back. He added that no vote was necessary at this time. Gagnon stated that his start date was March 1st and he questioned Paicos regarding if an overlap was needed as there was no budget for it. Paicos responded that they should let Thidemann make the call on whether an overlap was needed.

There was some discussion on the numbers in the separation agreement, in particular the sick time numbers which Paicos noted were not accurate and that he would correct with the Treasurer. He did state that all the other numbers were accurate. He noted that he had 68 hours of comp time and that 60 of those hours were earned before his deployment as he chose to work to get things done before he left and not to take them. Dennehy noted that he did remember this and that they were happy at the time to allow the rollover of his time. Gagnon noted that comp time should be consumed during working time.

Paicos stated that the Town owed him a total of 88 hours of comp time and that he would work for two more weeks and would not be taking this time off. He proposed that the Board pay him for 40 hours for the 2nd week of March when he is going to Afghanistan with Fire Chief Zbikowski to turn over the ambulance and the Town could have the other 48 hours. Dennehy inquired if Paicos would be available for Thidemann and Paicos stated that he would be for as much as was needed. Dennehy stated that he could support this. Gagnon stated that Paicos would work this week and the following week and would be off the payroll as of March 1st but that they would pay him 40 hours for the week he went to Afghanistan. He noted that he "can live with that" and that Paicos last day would be February 27th and he would receive 1 week's pay out of his comp time and would be available for consultation.

Johnson brought up the question of the Town's liability issue with this trip and Paicos stated that the Town is not liable as this is outside of the scope of employment.

Paicos stated that he would write something up on this agreement. Dennehy motioned to make this an official vote as to be presented by the Town Administrator and Gagnon seconded. Motion carried.

Dennehy then took a moment to thank Paicos for his service to the Town and for all the projects he completed. He stated that it was a pleasure to work with him and he wished Paicos luck in his new employment.

IV. NEW BUSINESS

A. Review and vote on Engagement Letter for Bill Fraher, as Auditor for the Town:

Paicos stated that the Board had already voted on this at a previous meeting and all that was needed was for them to sign.

B. Approval of a One-Day Special Liquor License: Gagnon stated that St. Denis Church was holding a Spaghetti Supper on Saturday, February 21st from 5:30 to 9:00 p.m. at the Father Lacey Hall and that they were asking for a One Day Liquor License. Dennehy motioned to grant the One-Day Liquor License and was seconded by Gagnon. Motion carried.

C. Appointment of Town Administrator Search Committee: Dennehy read the list of persons interested in serving on this committee to date. Gagnon stated that they would continue to solicit interested parties. Dennehy read the recommendation from the DOR on forming a TA Search Committee noting that the committee should be made up of 5 or 7 members with three candidates to choose from. He suggested only 7 members but no more than 9. Gagnon stated that they would decide on the appointments at their next meeting on March 9th. Paicos suggested that the Board think about a charge for this committee first as they are an extension of the Board. Dennehy also noted that they should look into a consultant and that this should be an agenda item for the next meeting to discuss further. Dennehy reiterated that anyone interested should submit a letter of interest as the next agenda would be closure.

D. Discussion and review of draft FY10 Budget: Paicos gave an overview of the FY10 Budget. He noted the 4 vacancies that are being left open, the half time planner and the Firefighters funded by a grant.

Paicos stated that most departments had gone down or close to level funded but added that some were out of our control such as insurance and debt service. He noted that he level funded the school department.

Paicos explained the Safer Grant for \$300k that the Fire Department was awarded stating that the cost would be absorbed in their budget. He stated that the employees had agreed to take the last \$21k out of their own pocket and the Chief had also given up benefits. He did note that the downside was that at the end of five years, if it can't be funded by the town, they would have to give the money back.

Paicos did note that if these firefighters/paramedics were hired, it would have accomplished half of his goal to hire more employees in the Fire and Police Departments. He stated that this is a policy discussion by the Board of Selectmen and the Advisory Board and that he recommended it.

Paicos stated that he met with Jim Kreidler from Winchendon who approached him to discuss the possible regionalizing of the Council on Aging with Winchendon. He noted that they have a huge building with lots of space to have a really enhanced senior program. He stated that it needs a lot of planning and he suggested they study the possibility.

He noted that he was working on dispatch regionalization with Ashby which is also a good idea and would greatly enhance services with less dollars spent. He stated that this has huge potential.

Paicos stated that he was looking at 2 full time lay-offs, 1 DPW employee, 1 Library employee and 1 part time clerk at Town Hall. He noted that Monty Tech's assessment went down this year so he would be able to add the DPW employee back but that the other two would go forward. He noted that the good news was that because the Town did the cuts and "bleeding" in 2009, along with the override, there would be no lay-offs for FY10.

Gagnon stated that this was a draft budget and that it would go through the Advisory Board schedule with the first meeting to be held on Monday, February 23rd at 7:30 due to the Caucus at 7:00 p.m. He stated that they could make some changes.

Paicos noted that in regards to the Fire Department Safer Grant, they would need a vote by the Selectmen to accept and certify the funding so they should look at the timeframe. He also stated that he would brief Thidemann on this issue. Dennehy stated that they had no comment at this time.

Paicos stated that he would give the budget balancing formula to the Accountant and Thidemann to add or delete any changes and as assumptions change they would input the numbers.

Some discussion followed on the displeasure of the seniors regarding the potential of regionalizing the Council on Aging with the Town of Winchendon.

V. APPROVAL OF MINUTES

It was decided to hold off on the approval of the minutes listed below until the next meeting with the complete Board.

- A. January 20, 2009 – Special Meeting
- B. January 26, 2009 – Regular Meeting
- C. February 2, 2009 – Regular Meeting

VI. SCHEDULE OF COMING EVENTS

Gagnon announced the following reminders from the Town Clerk.

- Monday, February 23rd Citizens Caucus at 7:00 p.m. Community Room at Stevens Memorial Library – a quorum of 25 registered voters was required.
- Census forms have been mailed to each household. Please complete and return these forms to the Town Clerk's office at Town Hall.
- Rabies Clinic, Saturday, March 21st from 11:30 a.m. to 12:30 p.m. at the Highway Garage on Central St. The charge is \$10.00. Please bring current rabies certificate.

VII. OTHER MATTERS

There was some discussion on the Briggs School agreement and the review by Town Counsel. Gagnon noted that Deb Phillips had proposed a list of 18 questions on the agreement and she would be discussing these with their counsel so it would be put off until the March 9th meeting.

There was a short discussion on the Board of Selectmen annual report which was drafted by the Chair and it was decided to wait until they received Whitney's opinion for the final approval.

Gagnon noted that the next meeting of the Board of Selectmen was scheduled for Monday, March 9th at 6:30 p.m.

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT: At 10:20 p.m. Dennehy motioned to adjourn and was seconded by Gagnon. Motion carried.

Respectfully submitted,
Sylvia Turcotte
Executive Assistant to the Town Administrator