

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN
APRIL 5, 2010 – 7:00 P.M.
TRAINING ROOM AT PUBLIC SAFETY COMPLEX**

This meeting was aired live on local cable television.

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

Also present for the first part of this meeting were Advisory Board members: Bill Johnson, Duncan Phyfe, Belden Divito, Leo Janssens, Ron Reed and Jamie Piedrafite. Town Counsel, Debbie Phillips, Linda Ramsdell, Town Clerk, Nancy Haines, Town Accountant and Jeff Lawrence, Moderator were also in attendance.

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

II. PUBLIC INPUT

III. APPROVAL OF AGENDA

Whitney motioned to approve the agenda as presented and was seconded by Vitone. Motion carried.

Vitone noted that this was a Joint Meeting with the Advisory Board.

IV. PRESENTATIONS & REPORTS

A. Gary Howland – Discussion on Citizens Petition Warrant Article

In attendance were Gary Howland and Don Lemay of the Ashburnham Conservation Trust. Vitone stated that there were two parcels on the petition list that the Board of Selectmen had a different opinion on the use and they wanted to see if there was some interest to come to a middle ground. He also noted that there was an additional parcel, Map 56, lot 45, now available but that parcels 52 and 48 were the ones in question. He noted that the Board wants to combine these two parcels as a building lot with beachfront. Vitone stated that they were proposing that the Trust keep the parcels on the east side for conservation and that they combine parcel 52 with 48 as a buildable lot.

Howland stated that they felt they should maintain Parcel 48 as public access to the lake. He added that the Town has no access to the lakes but would be willing to compromise and give up on Parcel 52 but maintain Parcel 48.

After some discussion on a possible alternative, Vitone summarized by noting that they would sub-divide parcel 48 and combine the lakefront portion with Parcel 52 to sell as a buildable lot with waterfront and the other portion would be given over for conservation along with the other town owned parcels referenced in the citizens' petition. Some discussion followed on whether the article would be passed over and it was noted that a letter would be required from the petitioners to agree to this alternative proposal.

B. ATM Warrant – Final discussion and votes on recommendations by Board of Selectmen and Advisory Board

Briggs stated that the goal of this discussion was to fill-in the missing information such as the recommendations from both Boards.

Discussion began with **Article 1**, “To accept the reports of several town officers and all outstanding committees”. It was noted by Whitney that the J.R. Briggs Committee would have a short presentation on the project. Vitone stated that the Board of Selectmen and the Town Administrator would present a quick look back synopsis to give the voters a sense of where things are at present in the Town and would also navigate the Town Meeting course of articles and why they are orchestrated as they are. Both Ron Reed and Bill Johnson voiced their approval. It was noted that Vitone would make the motion on Article 1.

Article 2, the FY11 Budget was next for discussion. Briggs stated that he made a 5% reduction due to the cut in local aid and that they were taken from the following departments; Library, DPW, Fire and the Police group which includes Dispatch, Animal Control and Public Safety Building.

Vitone inquired where the non-union personnel raises were in this budget and Briggs stated that the funds were in the Non-Departmental Account and added that the total budget could be reduced by the amount if the unions, contractual employees and the school committee foregoes their raises and steps. Discussion followed on when this information would be known.

Vitone stated that the amount was \$36,000 in the Non-Departmental account line for the non-union personnel raises. Johnson suggested that this amount be moved to the Reserve Fund which would buy time and options. Briggs stated that this was a good idea and both Whitney and Vitone were in agreement as well.

Vitone motioned to recommend Article 2 with the above mentioned change and was seconded by Whitney. Motion carried. The Advisory Board voted unanimously in favor to recommend.

Article 3, the Water Enterprise Budget, was next up for discussion. Briggs stated that this was done differently this year and added that when the Advisory Board makes their recommendation they would bring up the direct costs in the motion.

It was determined that Bill Johnson would make the motion for Article 3. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 4, the Sewer Enterprise Budget was briefly discussed and it was noted that it would be the same motion as Article 3 with Bill Johnson making this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 5, to pay bills incurred in a prior fiscal year was next. It was determined that Maggie Whitney would make the motion to pass over this article. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 6, the AWRSD Operating Budget Override was followed by much discussion. It was determined that Ed Vitone would make the motion for Article 6. He noted that he was 100% in favor to bring this to the voters to decide and he personally recommended that they take it to ballot. Whitney stated that she could not support an override due to the financial situation of the voters, but that she would support placing the article on the ballot for the voters to decide.

The Board of Selectmen recommended that Article 6 be placed on the warrant. The Advisory Board voted 5 -1 in favor to recommend placing this article on the warrant.

Article 7 -the Light Department PILOT payment. It was noted that one of the Light Board members would make the motion for this article. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 8 - the tax anticipation note authority for the Treasurer. It was noted that the new Selectman would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 9 - the compensating balance authority for the Treasurer. It was noted that Ed Vitone would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 10 - the authority for Town Administrator to contract with Mass. Highway. There was a short discussion on the wording in the explanation and Briggs stated that he would change the verbiage. It was noted that Maggie Whitney would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 11 – the authority to expend Ch. 90 Road Repair Monies. It was noted that the new Selectman would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 12 – the transfer of Cushing Academy Trust Fund income. Ed Vitone would make the motion. Briggs stated that this would be a yearly article rather than accumulating the interest over time. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 13 – the revolving fund for the purpose of trash removal established from trash bag receipts. Briggs noted that next year this would be a part of the operating budget and it would eliminate the revolving fund. Maggie Whitney would make the motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 14 – the revolving fund for the Agricultural Commission. Briggs stated that they had no budget line for this but that this would be taken away next year. The new Selectman would present this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 15 – the purchase of fire alarm system testing and maintenance equipment. It was noted that Ed Vitone would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 16 – to purchase cruiser with authorization to dispose or trade-in current vehicle. It was noted that Maggie Whitney would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 17 – to purchase one-ton truck for DPW with authorization to dispose or trade-in current vehicle. It was noted that the new Selectman would make this motion. Johnson asked what would happen to the old vehicles and Briggs stated that they would be traded in. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 18 – to purchase one-ton truck for Municipal Grounds with authorization to dispose or trade-in current vehicle. It was noted that Ed Vitone would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 19 – to purchase turn-out gear for the Fire Department. Briggs explained that this was originally for 5 sets of turn-out gear but was reduced to 3 due to the request of funds from the Gordon Erickson Fund. Whitney inquired what the life of the gear was and Briggs responded that it was 5 to 6 years. Maggie Whitney would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 20 – Capital items for the AWRSD. It was noted that the new Selectman would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

It was noted that Article 30 would be moved as **Article 21** – to transfer available funds to Capital Improvement Fund. This was moved as Article 21 in order to keep all capital articles in sequence. Ed Vitone would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 21 (now **Article 22**) – lease of Caouette property to William J. Bresnahan Scouting & Community Center. This motion would be made by Ed Vitone. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 22 (now **Article 23**) – to offset receipt account for Waterways Improvement Fund. It was noted that a Lakes Coalition member would make the motion. There was some discussion on how this fund works and how it would be used. It was decided that the Selectmen would hold off on their recommendation until they had more information. Nancy Haines stated that the funds came from boat excise taxes. The Advisory Board unanimously recommended this article.

Article 23 (now **Article 24**) – Right to Farm Bylaw. Briggs stated that this bylaw pulls all state laws together and gives them the ability to apply for grants. It was noted that Pat Stewart, of the Agricultural Commission would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

At this time Whiney asked that they recognize Steve Marcotte, the reporter for the Gardner News as he was moving to another assignment as reporter for Gardner. She noted that he had always been a fair and balanced journalist and expressed her thanks to him for his reporting in Ashburnham.

Article 24 (now **Article 25**) – to accept M.G.L.c. 40 authorizing levy of special assessments for construction and connection of water mains and services. Briggs stated that this article was not necessary and that he would delete it from the warrant.

Article 24 – Water Tank borrowing. Briggs explained the article and noted that the engineers for this project may give a short presentation. It was noted that Maggie Whitney would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 25 – authorization to sell excess town vehicles. It was noted that the new Selectmen would make this motion. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Article 26 – Citizens’ Petition. It was noted that this article may be passed over. Gary Howland was asked to get a letter from all the petitioners stating that they agreed with the alternative on the parcels that were discussed earlier in the meeting. No recommendations were made at this time.

Article 27 – to sell certain parcels of land as excess property. There was some discussion on the list of parcels. Briggs noted that the 36 Cobb Road parcel would be removed as this was the access to the Pump House which the Water/Sewer Commissioners voted not to sell. Vitone stated that part of Parcel 48 and Parcel 52 should be shown as a combined parcel with the new square footage. It was noted that Maggie Whitney would make the motion for this article. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Leo Janssens questioned where Old Reservoir Road was located and Briggs stated that he would check it out.

Article 28 – Amendment to Ashburnham Wetland Protection Bylaw. Briggs noted that this was mainly a clean-up in verbiage. It was noted that Marshall Dennis would make this motion as ConCom Chair. Both the Board of Selectmen and the Advisory Board unanimously recommended this article

Article 29 – to rescind excess debt authorizations. Briggs stated that Bond Counsel has suggested this article as it would affect our bond rating if left as is. It was noted that Ed Vitone would make the motion for this article. Both the Board of Selectmen and the Advisory Board unanimously recommended this article.

Jeff Lawrence, the Town Moderator, noted that there would be babysitting services available at the Annual Town Meeting, supplied by the National Honor Society and the Student Council.

V. UPDATE – STUDENT REPRESENTATIVE FROM OAKMONT

VI. OLD BUSINESS

A. Review of BOS Initiatives and Task List

Whitney noted that the Board had 153 total tasks, had completed 147 and this is equivalent to 96% complete, with only 6 tasks remaining.

B. Vote on MOU for Oakmont as Shelter

Briggs stated that the Board of Selectmen needed to authorize him to sign the MOU. He stated that Dr. Zapantis had already signed. Vitone noted that this sets Oakmont up as the emergency shelter and this makes funding a lot easier.

Whitney motioned to authorize the Town Administrator, Doug Briggs to sign the MOU designating Oakmont as an emergency shelter. Vitone seconded and the motion carried.

Whitney gave an update on the J.R. Briggs meeting schedule with the following in the month of April. The next meeting of the Committee would be held on Thursday, April 15th and the Charette would be on Thursday, April 22nd from 6:00 p.m. to 9:00 p.m. at Briggs. Vitone noted that the Committee has done a great job.

C. Continued discussion on permanent IT Committee

Vitone stated that the Board reviewed the recommendations from Briggs and both agreed that it should be open to one member that is a high end user such as Nancy Haines. Duncan Phyfe, a member of the former IT Study Committee, agreed that this was important. Briggs noted that some of the old IT Committee members had

expressed an interest to serve on the permanent committee and Vitone stated that they should ask for others as well.

Whitney motioned to accept the TA's recommendation with amendments and was seconded by Vitone. Motion carried.

VII. TOWN ADMINISTRATOR'S UPDATE (Report attached)

Briggs began his report by stating that he heard from Gerry Perry from the DOR who stated that per state law, the Town had no authorization to borrow for dam inspections. So, the Board of Selectmen has to ask to deficit spend regarding the \$32,000 for the inspections. He noted that this would allow them to spend money but we need to clean it up beforehand. He added that we need to just ask to deficit spend, not to borrow.

Vitone made the motion to send the letter to Gerry Perry at the DOR for permission to deficit spend for the dam inspections. Motion carried.

Briggs noted that the transmission on the ladder truck went and that he worked with Chief Zbikowski so that the cost of the repair would come out of the Fire Department operating budget.

He stated that he was working on the Water/Sewer rate review for July 1, 2010.

He noted that MIIA Insurance Company was selected to cover the Town's General Property and Casualty needs and Berry Insurance Company for the Fire and Police accident coverage. He added that the Town saved \$60,000 over last year.

He stated that he was working with Stan Herriott to see if we could get fiber optics between town buildings to facilitate communications, eliminate phone lines, and put everyone on the same email system which would satisfy the state mandated email archival requirements.

He noted that the RFP and lease agreement had been sent to all interested parties and submittals were due on May 14th.

Briggs stated that he would confirm that Bill Fraher would be attending the May 3rd BOS meeting to review the FY09 Audit with the Town Officials. Vitone noted that the Advisory Board should be invited.

He stated that he met with Matt Bourgault regarding the permanent cable set up at the PSB and after reviewing the space requirements and the logistics at the Public Safety Building, it was decided that we should continue status quo until a better defined COA/VMS building is available.

He announced that the 2009 Town Report is now posted on the Town's Website on the Town Administrator's page.

VIII NEW BUSINESS

A. Request for purchase through Gordon Erickson Memorial Fire Rescue Fund

Whitney motioned to approve the purchase of two sets of turn-out gear through the Gordon E. Erickson Memorial Fire Rescue Fund and was seconded by Vitone. Motion carried.

Whitney stated that a policy should be set on donations and Vitone agreed adding that it would avoid any conflict of interest issues. Briggs stated that he would work on this.

B. Approval of Warrant for the Town's Election on April 27, 2010

Whitney read the Town Election Warrant as follows:

“In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town who are qualified to vote in elections and in Town affairs to meet in the J.R. Briggs Elementary School Gym, 96 Williams Road, Ashburnham.

WARRANT 2009-2010
Tuesday the 27th day of April, 2010
at 9:00 o'clock in the morning
to bring in their ballots for:

Moderator – for one year term
One Board of Selectmen – for three year term
One Town Clerk – for three year term
Two Board of Health – for three year term
One Planning Board – for five year term
One Planning Board – for four year term
Two Library Trustees – for three year term
One Municipal Light Board – for three year term
Two Ashburnham School Committee – for three year term
Two Westminster School Committee – for three year term

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.”

Ron Reed noted that the Warrant date should be 2010 -2011 not 2009-2010. Sylvia said that she would check with Linda on this and correct it if necessary.

Whitney motioned to approve the Town Election warrant for posting and was seconded by Vitone. Motion carried.

IX. CONSENT AGENDA

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

X. ANNOUNCEMENTS

Whitney read the following announcements from the Town Clerk:

- April 7th – Final registration for the Town Election – Town Clerk’s office 8:00 a.m. to 7:00 p.m.
- April 20th – Final registration for the Annual Town Meeting – Town Clerk’s office 8:00 a.m. to 7:00 p.m.
- April 26th – Last day for filing applications for absentee ballots for voters who will be out of town for the town election.
- April 27th – Town Election – polls open at 9:00 a.m. and close at 8:00 p.m. at the J.R. Briggs Elementary School Gym, 96 Williams Road.
- May 8th – Annual Town Meeting – 10:00 a.m. at Oakmont Regional High School in the Auditorium, 9 Oakmont Drive.
- Dog Licenses are now available at the Town Clerk’s office. Please note the fees have changed to \$10.00 for spayed/neutered dogs and \$15.00 for unaltered dogs. If registered by mail, please send in current rabies certificate, spay/neuter certificate, and a self-addressed stamped envelope to the Town Clerk’s office.

The Board of Selectmen has received notification that Linda Ramsdell, Town Clerk, has received her certification as Certified Mass. Municipal Clerk, CMMC.

Due to the Patriots Day Holiday on Monday, April 19th, the next meeting of the Board of Selectmen will be held on Tuesday, April 20th at 7:00 p.m. at the Public Safety Building in the Training Room.

XI. BOS CORRESPONDENCE

Whitney read the following: “The Board has received an immediate release notice from Governor Patrick announcing federal flood aid is on its way to Massachusetts. Individual Assistance (IA) Programs are available to affected homeowners, renters and businesses in the following counties: Essex, Middlesex, Worcester, Suffolk, Norfolk, Bristol and Plymouth Counties. Individuals and business owners who sustained losses in the designated counties, can initiate the assistance process by calling the FEMA Teleregistration numbers: 1-800-623-FEMA (3362) or 1-800-462-7585 (TTY) for the hearing and speech impaired or registering on-line at www.fema.gov. The toll-free Teleregistration numbers will operate Monday thru Friday from 7:00 a.m. to 1:00 a.m., on weekends – Saturday and Sunday from 7:00 a.m. to 10:00 p.m. until further notice. This notice has been posted on the Town’s website.”

XII. SOLICIT PUBLIC INPUT

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

At 9:12 p.m. Whitney motioned to adjourn the meeting and was seconded by Vitone. Motion carried.

Respectfully submitted,
Sylvia Turcotte, Assistant to the Town Administrator