

**TOWN OF ASHBURNHAM  
BOARD OF SELECTMEN  
MAY 17, 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, Ron Reed, 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 7:00 p.m.

II. PUBLIC INPUT

III. APPROVAL OF AGENDA

Vitone stated that they would add the review of the 5-year plan to the Town Administrator's report.

*Whitney motioned to approve the agenda as amended and was seconded by Reed. Motion carried.*

IV. PRESENTATIONS & REPORTS

A. Introduction and swearing in of Chris Conrad as Sergeant

Police Chief Barrett gave a brief history of the Sergeant selection process and noted that four officers had applied. He added that all the officers except for Kaddy were present which was a great show of support for Conrad.

Barrett introduced Chris Conrad and the Town Clerk came up and swore him in as Sergeant. Conrad thanked his fellow officers for their support and tutelage.

All the members of the Board of Selectmen noted the great show of support for him from the department and wished him well in his new position.

B. Presentation by Bill Fraher, Town Auditor – FY09 Audit

Bill Fraher began his presentation by noting that things had come a long way since last year in Ashburnham, and that a lot had been done. He noted that in 2006 there were 25 comments in the Management Letter and for 2009 only 9. He stated that the team has done a great job.

Fraher reviewed his report with the Selectmen. (Report is attached to these minutes.) He did note that the numbers were reflective of the economy.

He also stated that in 2009 the Town was required to have a single audit and he noted that there would not be one in 2010 but would be in 2011 due to the CDBG grant borrowing.

Fraher stated that there were three levels of comments and that Ashburnham's comments were not serious in nature.

Reed inquired as to how the towns were handling the GASB issues and Fraher stated that they really had no choice. He stated that GASB was done for the Financial Statements.

Reed also mentioned the Light Plant funds and Fraher stated that under 164 they can separate their funds but that the Town was working on this as the funds should go through the Treasurer.

Reed asked about the Trust Funds and Fraher noted that there was still a lack of clarity as to what can be spent, i.e. principal or interest. Nancy Haines, the Town Accountant stated that some are gifts to the Town, not really trusts and Reed noted that it is an expensive process to change these in order to spend the funds.

There was some discussion on cash collections. Fraher noted that comments number 5, 7 and 8 were perennial comments for most towns.

The Board thanked Fraher for his time.

At this time Whitney asked if the item under New Business could be moved up to accommodate Josh Wright who was present.

## VIII NEW BUSINESS

### A. Approval of special liquor permit for Firehouse Pub

Josh Wright, Manager of the Firehouse Pub, was present to request the Board's approval for a Special One-Day Liquor and Food Permit for outside service for a Charity Ride to benefit the Montachusett Interfamily Hospitality Network Family Shelter in Leominster. He stated that this would allow food and alcohol to be brought outside in a sectioned-off area to consist of the parking space directly in front of the Pub. He was asked the timeframe and stated that it would be from 2:00 p.m. to 9:00 p.m. and he also added that they would have security for the event.

***Reed motioned to approve the Special One-Day Liquor and Food Permit with the times noted and was seconded by Whitney. Motion carried.***

## V. UPDATE – STUDENT REPRESENTATIVE FROM OAKMONT

## VI. OLD BUSINESS

### A. Review of BOS Initiatives and Task List

Whitney stated that the status of this report was the same at 97% completed. Vitone stated that they would close out this list and would begin a new one for the next fiscal year. Whitney noted that they would be changing the task list and initiatives now that they were a three member Board.

Vitone stated that they may be having the last meeting of the Special Act Study Committee on Monday, May 24<sup>th</sup>. He noted that they may be presenting their results to the Board of Selectmen at their next meeting.

## B. Recap of Annual Town Meeting

Vitone stated that the Annual Town Meeting was very successful and it was an efficient session. Whitney noted that the quorum was an issue and that they should put an article to change this on the next Special Town Meeting warrant to vote for no quorum. She also noted that they needed some way to get the Briefing Book and the actual Warrant out in a better fashion.

Johnson stated that to avoid confusion with documents for the meeting they should have a special meeting two or three days before the ATM to review the warrant.

Reed stated that there should be a one-page financial overview of the operating statement to show the revenues and how they were funded. Johnson stated that the Advisory Board handout could include the revenue information and that they could place it on the website in advance of the meeting.

Briggs noted that the Moderator, Jeff Lawrence, should be relocated, to avoid the issue of the screen being moved up and down and that the Moderator should be given more control of the meeting, with presentations being made at the time of the article. Vitone stated that this was a good comment and that the Moderator should be up front in order to manage the meeting.

Duncan Phyfe suggested that they present numbers that are more accurate to lessen the confusion. Johnson noted that in previous years the numbers weren't accurate but that it was not an issue now.

Reed noted that they may want to look at having the meeting at a more convenient time but noted that it was in the Town Bylaws that it is to be held on the first Saturday in May. Vitone stated that they would revisit this when the Special Act Study Committee met.

The final comment was from Johnson who noted that all documents should be dated so that it would avoid any confusion in the future.

A summary of the suggestions are as follows:

1. Place an article at STM to remove the quorum requirement.
2. Get the Briefing Book and Warrant out in better fashion.
3. Have a special meeting of the Selectmen, Advisory Board, Moderator, Clerk and others, two or three days before the ATM for a final review of warrant.
4. Include a financial overview operating statement to show revenue and how it was funded in the Advisory Board handout and place this information on Town's website in advance of meeting.
5. Relocate the Moderator to avoid the screen which is lowered for the presentations and to give him more control of the meeting, with presentations made at the time of the article in question.
6. Present numbers that are the same on all documents to avoid any confusion.
7. Date all documents.

## C. Continued discussion on Foreclosure of Land of Low Value

Vitone asked each member if they had any issues with the list presented by the Treasurer for their review. Reed noted that Map 20 Lot 93 was the right of way for

the Rail Trail and that if it was sold it could be an issue. He also noted that no one knows where Map 99 is located so they should be removed. Vitone stated that they would approve the list for sale except Map 20 lot 93 and the two Map 99 parcels. They would check further on the Map 20 parcel and find out more information.

***Reed motioned to approve the list presented except for Map 20 Lot 93, Map 99 Lot 2 and Map 99 Lot 228. Whitney seconded and the motion carried.***

D. Continued discussion on Donation Policy

Vitone asked for any feedback on the draft presented by Briggs for their review.

Reed questioned if all gifts should be approved, not just those over \$250. Briggs stated that there would still be issues. Vitone noted that they should keep a log of gifts received by the Town. Briggs noted that he would review the policy with the Department Heads to be sure they understand the process.

Vitone stated that they would keep the policy as is, keep records and then look at it again in a year. Johnson noted that this should be seriously adhered to and it should be known that any violation would be subject to disciplinary action and the Board agreed with this statement.

***Whitney motioned to adopt the Policy Regarding Acceptance of Gifts with the proviso that it would supersede the other policy, with a log and review in one year. Reed seconded and the motion carried.***

VII. TOWN ADMINISTRATOR'S UPDATE (Report attached)

Briggs noted that he would be meeting on May 19<sup>th</sup> with Tighe & Bond, the Water/Sewer Commissioners and Mark Petersen to start the process for the water tank which was approved by the voters at the Annual Town Meeting. He also noted that after looking into the actual impact this would have on Cushing Academy, their assessment would be higher than anticipated.

He noted that Rindge Turnpike Road repaving was completed and he thanked Steve Nims and the STRAP Grant. He noted that they were now looking to get 101 North done this spring and maybe finish off Rindge Turnpike Road.

The 5-Year Plan was discussed. Vitone stated that this report coupled the information with the Capital Planning needs. He stated that it was a tool for Department Heads to show where it would be spent and is a good workable tool for the next five years. Vitone stated that they needed to think of all departments as a town not as separate entities and that this was a policy tool which included the school needs as well. Johnson noted that the schools were an important part of this.

Vitone noted that a meeting with the Department Heads to go over this 5-year plan should be set up before the vacation season if possible. Johnson stated that the Advisory Board and the Board of Selectmen should meet together first to review and he added that this was a huge step forward for the Town. A date for this meeting would be scheduled.

Briggs stated that he was ready to send out the RFP for the lease of Town-owned property for the Bresnahan Community Center project. ***Reed motioned to accept the RFP for the Bresnahan Community Center project and was seconded by Vitone. Motion carried.***

Briggs stated that they had received the plans for the division of Lot 48 and inclusion to Lot 52 and these have been sent to the Planning Board for ANR approval. Reed stated that this was a nice piece of land and they should set a minimum bid when it's up for sale.

IX. CONSENT AGENDA

X. ANNOUNCEMENTS

Whitney read the following announcements from the Town Clerk:

- 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.
- Effective June 1<sup>st</sup> a late fee of \$10.00 will be added to each dog license.
- Wednesday – May 26<sup>th</sup> final voter registration for the Special Election, 7:30 a.m. to 7:00 p.m. in the Town Clerk's office at Town Hall.
- Tuesday – June 15<sup>th</sup> Special Election – 7:00 a.m. to 8:00 p.m. at J.R. Briggs Elementary School.

Memorial Day Services will be held on Sunday, May 30<sup>th</sup> and Monday, May 31<sup>st</sup> – On Monday the Parade will begin around 9:00 a.m. and will arrive at Town Hall for the services at approximately 9:30 a.m.

Car Trunk Sale at the Stevens Memorial Library, sponsored by the Friends, will be held on Saturday, May 22, 2010 from 8:00 a.m. to 1:00 p.m. at a cost of \$10.00 per vehicle. The Boy Scouts will provide refreshments.

Ashburnham's Annual Downtown Days sponsored by the Ashburnham Business Council will be held on Saturday, June 26<sup>th</sup> from 10:00 a.m. to 4:00 p.m.

On Saturday June 26<sup>th</sup> at 9:00 a.m., the City of Gardner will be holding a Plaque Dedication Ceremony to commemorate the former convergence point of the towns of Winchendon, Westminster and Ashburnham. This ceremony will take place at the intersection of Central Street, School Street and Lakewood Terrace. This year is the City of Gardner's 225<sup>th</sup> Anniversary of its incorporation. Both Whitney and Reed stated that they would be attending this ceremony.

The next meeting of the Board of Selectmen will be held on Monday, June 7, 2010 at 7:00 p.m. at the Public Safety Complex in the Training Room.

XI. BOS CORRESPONDENCE

Whitney read a letter received on behalf of an Eagle Scout, Dillon P. Handy, from the Scoutmaster and his assistant asking for assistance in recognizing the Scout's achievements and service. It was noted by Whitney that they would send him a letter of recognition as well as a citation praising his achievements.

## XII. SOLICIT PUBLIC INPUT

Betsy Dillbeck of the Ashburnham Hometown News inquired about the Lions Club breakfast on Sunday May 23<sup>rd</sup> at the Senior Center which would be held from 7:00 a.m. to 10:00 a.m.

Gary Howland was present on behalf of the Ashburnham Conservation Trust in regards to the invoice submitted by the surveyor on Lot 52 and Lot 48. He noted that the Trust would pay \$200 which is half of the cost. He stated that he would need a copy of the invoice and a letter from the Selectmen to be sent to the Trust.

He then noted his concerns on the 120 day waiver for the Beals property. He asked if the Board had considered signing the waiver and asked them to please reconsider as he had concerns that the Town could be sued. He noted that he saw this as an illegal taking and that it's really between the land owner and the Town. He added that the money will disappear from the State if no decision is made by the end of the fiscal year.

Vitone noted that they would make their decision in 120 days and that the Board had the responsibility to look for the best long term interest of the Town.

Briggs stated that when he had the meeting with the owners and DCR the sellers had no deal yet and he had asked to be informed if anything changed but that he had no input as of this date.

More discussion followed on this issue and the Board thanked Howland for his input.

## XIII. EXECUTIVE SESSION

At 8:40 p.m. Whitney stated that the Board of Selectmen would enter into Executive Session to deliberate upon matters which, if done in open meeting could detrimentally affect the position of the Town regarding collective bargaining (pending and ongoing) and the purchase, exchange, lease or value of real property and to not reconvene into open session except to adjourn.

## XIV. ADJOURNMENT

*At 9:25 p.m. Whitney motioned to adjourn the meeting and was seconded by Reed. Motion carried.*

Respectfully submitted,  
Sylvia Turcotte, Assistant to the Town Administrator