

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN
JUNE 21, 2010 – 7:00 P.M.
TRAINING ROOM AT PUBLIC SAFETY COMPLEX**

This meeting was aired live on local cable television.

PRESENT: Ed Vitone, Chair, Ron Reed, Member, Doug Briggs, Town Administrator and Sylvia Turcotte, Assistant to the Town Administrator. Maggie Whitney was absent.

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

II. PUBLIC INPUT

III. APPROVAL OF AGENDA

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

IV. PRESENTATIONS & REPORTS

A. Special Act Study Committee Report

Present were members of the Committee: Dottie Munroe, Pixie Brennan, Mark Carlisle and Lois Somers.

Vitone, who is the Chair of this Committee, gave the list of members as follows: Pixie Brennan, Mark Carlisle, Matthew Christiansen, Lorna Fields, Leo Janssens II, Dottie Munroe, Lois Somers and Mike Catlin, who passed away recently, and then proceeded to present their report. (Attached)

Vitone noted that the Special Act was created back 25 years ago and it needed to be updated and he noted that they reviewed the Town Bylaws as well. Vitone read the report as follows:

Summary of Changes to Special Act

- Created position of Ombudsman filled by each member of BOS to review concerns when an individual fears reprisal for raising the concern.
- Added probationary period for Town Administrator (TA)
- Added BOS approval for salary actions, contracts and other personnel matters for direct reports to TA
- Defined other responsibilities for TA
 - Grant coordination
 - Insurance coordination
 - Departmental audits
 - Personnel system
 - Facilitate crisis intervention in emergency situations
 - Response to citizen complaints, concerns and requests
- Town Clerk and Back-up Town Clerk to be appointed by TA
- Formal goals and objective for TA
- Refines budget timeline for next fiscal year

Summary of Changes to By-Laws

- Fines to be escalated annually at 3%/year with the inflated fines published annually in the town report, town web site and other appropriate venues
- Fines reviewed and many increased
- Newly elected Selectmen start serving after ATM but not later than July 1.
- Deleted quorum requirement
- Advisory Board have right to engage expert assistance.
- TA to get BOS approval on prosecution and defense of claims
- Deleted provision for BOS to authorize sledding on town roads
- Deleted Soil Removal By-Law and referred to Chapter 5.6 of Zoning By-Laws
- Delete Chapter XIV (Paid Vacation) which is covered in Chapter XXVII – Section 9.14
- Deleted fees for dogs which are now set by BOS
- Added recovery of attorney fees and court costs on dog offenses
- Added provision for emergency access to town buildings
- Added BOS approval for payment of recruitment expenses
- Add BOS approval for end of probationary period for direct reports to TA
- Added ombudsman option for sexual harassment review
- Added chewing to tobacco restrictions
- Reword Sick leave buy-back per special town meeting vote
- Added more time for employee disciplinary hearings

Recommended Next Steps

- BOS to review and revise as appropriate the recommended changes to the Special Act and By-Laws
- Review changes with Special Act Committee for input
- Adopt final changes and send to town counsel for review
- Public hearing(s) with support from Special Act Committee
- Presentation to voters at next town meeting
- Consider an appropriate recognition of contribution of former Committee Member Mike Catlin.

Vitone stated that the Committee's next step was to turn this over to the Selectmen. Reed thanked the Committee and stated that they did a lot of work. He also stated that he was looking forward to working with them. Vitone added his thanks and noted that it was a good process.

V. UPDATE – STUDENT REPRESENTATIVE FROM OAKMONT

VI. OLD BUSINESS

VII. TOWN ADMINISTRATOR'S UPDATE (Report attached)

Briggs began by noting the openings on Town Boards and Committees. He touched on the FEMA reimbursements due to the floods from the heavy rain in the spring.

In regards to the EECBG Grant, he noted that they had received the first \$75,000 from the grant and Stan Herriott started ordering the materials. He noted that Oakmont would be done first.

Briggs stated that the Town would be receiving an additional \$110,000 from the insurance claim on the Town Hall flood which occurred last year.

He noted that Jim Zarozinski, a DPW employee, who had been injured at home about 12 weeks ago and was out of work on short term disability during this time, was finally returning to work the following day.

Briggs stated that he completed all performance reviews with the Department Heads and Committees and that they would use this as a managing tool. He also noted that he would be meeting with the Department Heads in July to review the 5-year capital plan for their departments and in August to set up goals and objectives for FY11.

He stated that the bids were opened for the sale of the two town vehicles on June 16th and there was only one bidder, the 2001 Crown Victoria - \$201.38 and the 2003 Crown Victoria - \$258.71. The bidder was Christopher Foley of Princeton, MA. He asked the Board of Selectmen for a vote to accept the bids. ***Reed motioned to accept the bids and was seconded by Vitone. Motion carried.***

Briggs stated that he was generating a plan to phase-in all vacation accruals to be on July 1st. He stated that it would improve scheduling and reduce any unfunded liability. He added that this needs a Town Meeting vote as it is part of the Personnel Bylaws. Vitone stated that this should be added to the list of the Special Act Study Committee report.

Briggs touched on a recent meeting that both he and Ed Vitone had with John Fairbanks and Karen Murphy from Westminster regarding regionalization opportunities. Vitone stated that there was a genuine willingness to go forward and that it would be beneficial for both towns.

Briggs stated that road repairs were being done and that the list of roads included Hastings Road.

He also noted that borings were taken at the water tank site and that they all hit refusal at anywhere from 2 to 6 feet and that they would check to see if it was ledge or rock.

VIII. NEW BUSINESS

A. Ambulance Billing Uncollectable Charges 2001 - 2007

Briggs noted that the Town has a policy on uncollectable ambulance bills. He stated that the Accountant wants this to come off our books. He explained that the total amount owed to the Town from 2001-2007 was \$130,364 and that he was asking the Selectmen to sign off on these uncollectable charges. He did note that the Town has collected about \$175,000 this year. ***Reed motioned to approve the write-offs as presented and Vitone seconded. Motion carried.***

B. Request approval from Gordon E. Erickson Memorial Fire Rescue Fund to purchase a replacement boat and motor for the Fire Department

Briggs explained the history behind this request and stated that this was a replacement of a damaged boat and motor at a cost of around \$3,000. ***Reed motioned to approve the request and was seconded by Vitone. Motion carried.***

Briggs advised the Board of Selectmen of an additional list of requests from the Fire Department for funds from the Gordon Erickson Fund. The request included equipment to implement the Rapid Intervention Team in the amount of \$5,500 and also a compact Bullard Eclipse Thermal Imaging Camera at a cost of \$4,800. Other equipment requested included a firefighter accountability system for \$700 as well as a new air bag system at \$5,660. It was noted that these items fall outside of the Capital Equipment Plan with no way to meet these needs in their budget. Briggs also noted that the 12 lead defibrillators would also be a future request from the Gordon Erickson Fund and that this could be taken off the Capital Plan.

Vitone noted that these requests should support the core needs of the department.

C. Objective/Charge for the Emergency Management Committee

Vitone noted that this Committee was a requirement per MEMA and FEMA and that they should be explicit and give the Committee a purpose.

Briggs stated that he contacted Jason at MRPC regarding this Committee and he was waiting for a response and more details. He also noted that he would be working with them as an ad hoc member. Vitone stated that at the next meeting Briggs would define what was needed.

IX. CONSENT AGENDA

A. June 7, 2010 – Regular Meeting

Vitone stated that they would wait until the next meeting to approve these minutes so that Maggie Whitney would be available.

B. Appointment – Thomas Van Wert to the Capital Planning Committee

Reed motioned to approve the appointment and was seconded by Vitone. Motion carried.

X. ANNOUNCEMENTS

Reed 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 1st a late fee of \$10.00 will be added to each dog license.

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

The next meeting of the Board of Selectmen will be held on Tuesday, July 6, 2010 at 7:00 p.m. at the Public Safety Complex in the Training Room.

Briggs stated that he received the DPW Superintendent's recommendations for the asphalt products, the reclaiming and milling. (Attached to these minutes.)

He read the recommendations as follows:

Bituminous Concrete in Place:

	<u>Liquid Asphalt</u>	<u>Bituminous In Place</u>
P. J. Keating	\$532.50/ton	\$63.77/ton
P.J. Albert	\$532.50/ton	\$65.85/ton
Mass Broken	\$532.50/ton	\$68.83/ton
E.H. Perkins	NB	\$73.99/ton

Nims recommendation for the Bituminous Concrete in Place was to award to P.J. Keating. ***Reed motioned to go with the Town Administrator recommendation to award to P.J. Keating and was seconded by Vitone. Motion carried.***

Reclaiming:

All State Asphalt	\$1.94 per sq. yd.
Murray Paving & Reclaiming	\$1.88 per sq. yd.
P.J. Albert	\$1.79 per sq. yd.

Nims recommendation for the Reclaiming award was to P.J. Albert. ***Reed motioned to go with the Town Administrator recommendation to award the Reclaiming to P.J. Albert. Vitone seconded and the motion carried.***

Milling

Costello Ind.	\$2.44 per sq. yd.
P.J. Albert	\$3.35 per sq. yd.
P.J. Keating	\$2.17 per sq. yd.

Nims recommendation for the Milling award was to P.J. Keating. ***Reed motioned to go with the Town Administrator recommendation to award the Milling to P.J. Keating. Vitone seconded and the motion carried.***

- XI. BOS CORRESPONDENCE
- XII. SOLICIT PUBLIC INPUT
- XIII. EXECUTIVE SESSION
- XIV. ADJOURNMENT

At 7:40 p.m. Reed motioned to adjourn the meeting and was seconded by Vitone. Motion carried.

Respectfully submitted,
Sylvia Turcotte, Assistant to the Town Administrator