

TOWN OF ASHBURNHAM  
BOARD OF SELECTMEN MEETING  
MONDAY – OCTOBER 15, 2012 – 6:30 p.m.  
TRAINING ROOM – PUBLIC SAFETY COMPLEX

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This meeting was aired live on local cable television.

PRESENT: Ed Vitone, Chair, Leo Janssens, Member, Doug Briggs, Town Administrator and Sylvia Turcotte, Assistant to the Town Administrator.

I. SALUTE THE FLAG

Vitone called the meeting to order at 6:30 p.m. and led everyone in the Pledge of Allegiance.

II. SOLICIT PUBLIC INPUT

Steve Gallant, a member of the Parks & Rec Committee inquired as to why one of their members had been removed. Vitone stated that in the Town's Bylaws, it clearly states that no one can serve on the Advisory Board and also be on another committee or board that deals with the control and custody of Town funds. He also noted that the funds for the Parks & Rec are under the Committee's control. Vitone explained why certain members can serve on the IT Advisory Board without any conflict.

Gallant asked how the rule could be changed and Vitone stated that there were two ways; the first is where the Board of Selectmen would place an article on the warrant, which he stated had not been discussed and the second would be by a citizens' initiative/petition. He added that for an annual town meeting 10 signatures would be needed and for a special town meeting, 25 signatures. He asked that they take some time to consider this before they proceed. Janssens also noted that this rule is in the Town Charter. Vitone stated that it was an oversight that the member in question was on both boards/committees and that she did check with the State which said that there was no issue ethically although our bylaws state that it's not allowed. Janssens stated that it was an oversight on the part of the Board of Selectmen and that it was a tough call. Gallant thanked the Board for their indulgence.

III. APPROVAL OF AGENDA

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

IV. PRESENTATIONS & REPORTS

A. Briggs School Project Update

Vitone stated that he attended their last meeting a week ago Tuesday and that the project is a good two months ahead of schedule, 22% to 30% complete, and that all the steel is now up. He noted that they have had some reasonable draws from the contingency fund and that presently the building is all air-tight to allow for interior work to take place.

V. OLD BUSINESS

A. Town Accountant position

Vitone noted that Leo Janssens was asked to check with the two previous and the present accountants on why they chose to terminate their employment with the Town. Janssens stated that some were personal goals. He stated that one had just had a new grandchild, one held two part time positions and wanted a full time, and the other was looking for more thinking and public interaction. He stated that the location of the office was somewhat of an issue but that the money was fair and the hours weren't a problem. It was noted by one of them that they should plan on a few extra hours for the new hire at the beginning and that the hours for holidays was an issue with one. Vitone noted that holiday hours are pro-rated but that they could look at it. One of the persons he interviewed stated that a lesser paid employee should do

some of the paperwork and leave the more technical part of the job for the accountant, while the other two did not feel the same and had no issues doing it all. Vitone and Janssens both agreed that it was okay to post the job ad as was presented and Vitone asked Janssens if he would put his notes together in a one-page report for any new hires which he said he would be happy to do. Briggs stated that they would post the job the following day.

B. Discussion and final vote – Funds for 250<sup>th</sup> Celebration

Vitone stated that they met with the Chair of the 250<sup>th</sup> Celebration Committee and that he had asked for \$67,000 for the celebration events. He noted that they asked the Committee to meet and vote on what they felt was necessary for the first year and they came back with the \$20,000 request. Janssens noted that he was comfortable with this amount on the article. Vitone stated that Doug Briggs had done a survey on other area towns and what they spent on their 250<sup>th</sup> celebrations. He stated that they should find out what the community would be comfortable with and that the Board of Selectmen should have a leadership position.

***Janssens made the motion to support and recommend in favor of the \$20,000 requested amount for Article 3 of the Special Town Meeting warrant and was seconded by Vitone. Motion carried.***

VI. NEW BUSINESS

A. Appointment of Board of Selectmen Representative on Teacher’s Contract Negotiating Team

Briggs stated that per MGL the towns alternate and it’s now our turn. Bill Johnson suggested that Doug Briggs serve as the Board’s representative on this Team and Briggs noted that Dr. Hicks stated that he thought it should be a Selectman. Vitone stated that Briggs should check the MGL and do some research on this before they make their decision.

It was also noted by Briggs that with the resignation of Greg Fagan, the MRPC representative slots were vacant and that he would be happy to serve in his place.

B. Veterans Day Services – Selectman speaker

Vitone asked if Janssens would be willing to speak at the services this year and Janssens responded that he would be pleased to do so. He did note that this would be subject to scheduling availability in his job and that he would know more after November 1<sup>st</sup>. Vitone stated that if Janssens couldn’t make it because of his work schedule then he would be happy to fill in.

C. Discussion on open Board of Selectmen position and Board reorganization

Vitone stated that they received Greg Fagan’s letter of resignation dated October 2<sup>nd</sup>. He read the letter as follows:

*“To All Residents and Taxpayers of Ashburnham:*

*First, I would like to thank you for your confidence in me to act as a member of the board of selectmen. I felt that my first obligation was to represent your tax dollars and to ensure that articles passed at town meeting were appropriately executed.*

*At this time, I will be resigning the office effective immediately. My overall goal was to help Ashburnham achieve our potential – which I am passionate about. Our committees have done such a wonderful job and I wanted to ensure they get the continued support they need! We have so much opportunity here and so much has been done to date – however, it will take not only a fundamental shift in the way we look at problems, but a consistent and clear message that we send out internally and externally that will help us realize our potential.*

*I leave this office with deep regret, however, also with the feeling that I have made a valiant effort to maintain financial stability, create a meaningful and attainable future, and create the opportunities for others like myself to strive for this position.*

*Respectfully yours, Gregory P. Fagan, Board of Selectmen, Town of Ashburnham”*

Vitone noted that Greg Fagan was the clerk of the Board of Selectmen and that he would ask Janssens to take over this position. Janssens stated that he would serve as the Clerk.

***Vitone motioned to have Janssens serve as the Clerk of the Board of Selectmen and Janssens seconded. The motion carried.***

Vitone stated that they now had two options; 1) to act as a two-person Board until the Election in April; or 2) to hold a Special Election to fill the seat. Briggs stated that if they voted in favor of this second option at this meeting the election would take place on December 15<sup>th</sup> and if they voted at the next meeting they would look at January 10<sup>th</sup>.

Janssens stated that he would like to go for the Special Election and explained that Vitone is finishing out a one-year term and may not run again so they should get someone now to run through the budget cycle. Vitone stated that he didn't know what his plans were for next year so he would defer to Janssens suggestion and would ask Briggs to start working on a Special Election. Briggs noted that this would cost the Town about \$3,000 which the Town Clerk does not have funds to cover in her budget. He added that she would have to put in a request to the Advisory Board for a Reserve Fund Transfer to cover the costs associated with a special election.

Briggs noted that the Town Clerk under the "rule of necessity" could work with the two-man Board only under extremely limited conditions so he suggested they go with a January 10<sup>th</sup> Special Election date. Vitone and Janssens both agreed with his suggestion. Briggs noted that a caucus would not be required but that 35 signatures would be needed. Vitone then stated that he would ask anyone that is interested to please come forward and call or email the Town Administrator's office. He added that they should hold off on setting the date for the Special Election until someone has come forward. Bill Johnson agreed that it was a good idea to get any interested party before the Special Election is set. Vitone stated that they were expressing a desire for a Special Election and that they were looking for someone to serve.

D. Appointment to 250<sup>th</sup> Celebration Committee

Briggs stated that Katelyn Spurr has come forward and expressed her desire to serve on the 250<sup>th</sup> Celebration Committee and that the Committee had confirmed their approval of her appointment. ***Janssens motioned to appoint Katelyn Spurr to the 250<sup>th</sup> Celebration Committee and was seconded by Vitone. Motion carried.***

VII. TOWN ADMINISTRATOR'S REPORT

Briggs began his report by stating that he has received a request from the Fire Department for a grant for the elementary school to educate students on the signs of fire and smoking related materials and their dangers. He added that there was no match and the grant would be for \$3,500. He stated that he recommends this grant request. ***Janssens motioned to accept the grant as presented and was seconded by Vitone. Motion carried.***

Briggs then announced that "Trick or Treat" would be held on Wednesday, October 31<sup>st</sup> from 5:00 to 7:00 p.m.

He noted the openings on boards and committees were as follows: (2) on Conservation Commission; (1) on the Capital Planning Committee; (1) on the Advisory Board; and (1) on the Board of Assessors.

Briggs stated that the Gardner Hill tank area was cleaned up over the weekend and that paving of Hastings Road would be done next week, depending on the weather. He noted that he met with Tighe & Bond on the water system flow model and that it is still on schedule for October 26<sup>th</sup>. He also stated that the High Street tank would be drained starting this week and the demolition was scheduled within the next few weeks with the Light Department pulling the

wires off the building first before they implode. He stated that the Commission has generated a list of projects for the expenditure of the \$200,000 left over from the final grant funds. He listed them as follows:

1. Install variable speed drive on pumps at treatment plant
2. Install pressure transmitter on discharge line to treatment plant
3. Change tank level communications to a digital transmission
4. Install security measures (cameras, lights, etc.) (He added that they were working with the school and the IT Advisory Board on this.)
5. Add mixing system to Gardner Hill tank. (He stated that this would agitate the water to avoid freezing.)
6. Install portion of a water main on Cushing Street

Briggs stated that the Health Fair put on by the Council on Aging on Tuesday October 9<sup>th</sup> went very well and was a great success with 90 flu shots administered. He stated about half of these individuals remained for the lunch and other offerings with the 16 healthcare vendors who were there. He stated that it was a nice time and well attended.

He stated that they received notification of certified free cash from the DOR in the amount of \$278,329 and added that with this being Tammy Coller's first time she did a great job and would be missed when she leaves the Town's employ.

Briggs stated that the road paving of South Main Street was completed on Thursday, October 11<sup>th</sup> and it looks great. He noted that they would finish work on the sidewalks, driveways, street entrances in the next week or so.

He touched on the Town dams stating that they were notified by the State about the need to develop a plan for evaluating and repairing our dams per their requirements. He added that he has met with Tighe & Bond to try and understand the scope and timing as well as the costs associated with this type of project and that he would start the work on this within the next year.

Briggs stated that he met with Christina Sargent of the Historical Commission along with the Planning Board to discuss the Village Center District along with modifications to include roof slopes, exterior siding and window designs and adding these into the bylaws. He stated that this would streamline the guidelines and accelerate the process for contractors. He noted that the Historical Commission would be meeting this week and then would submit their recommendations to the Planning Board who in turn would hold a public hearing and then add these modifications to their regulations.

He noted that John Fields was working with the American Legion on the proper protocol for the flag to be placed and maintained at the VMS Building. He also noted that he checked with MIIA and there are no issues. Vitone asked that they try out the solar light first to see if it works properly.

Briggs stated that he was working with Westminster on an RFP for Animal Control and Animal Inspector in order to make this a formal appointment.

He stated that Matt from the Cable network stated that the Town should start looking at forming a Cable Advisory Committee and that it's not too early to start this process as the contract is up in 2015.

Briggs stated that volunteers Valorie Daigle and Kevin Martin were retiring from the Fire Department after 20 years of service and a retirement party is planned for November 14, 2012 at 6:30 p.m. at the Fire Department.

He stated that there were two informational meetings today put on by Fallon who was the low bidder on the health care services for the Ashburnham-Westminster Health Group. He noted that this would be a \$250,000 savings for the Town but that the school teacher's union has to buy off on this as it's in their contract.

Briggs also noted that from July 1<sup>st</sup> to September 30<sup>th</sup> the Treasurer has collected over \$100,000 and foreclosed on two properties valued at \$150,000. He also set up many payment plans on payment of back taxes.

He stated that tomorrow, Tuesday, at Sweeney Playground, the crack sealing would be done on the basketball court. He also noted that on Wednesday, they would do the seal coating and then on Thursday they would paint the lines. He did add that this is all weather permitting. He thanked the Parks & Rec Committee for all their hard work.

VIII. APPROVAL OF MINUTES

A. October 1, 2012 – Regular Meeting

*Janssens motioned to approve the minutes from the October 1, 2012 Regular Meeting and was seconded by Vitone. Motion carried.*

XI. BOS CORRESPONDENCE

X. OCTOBER/NOVEMBER MEETINGS

Janssens read the list of meetings as follows:

Tues., October 16	6:30 p.m. 7:00 p.m.	Joint Meeting BOS, Adv.Bd. & Cap. Planning Committee SPECIAL TOWN MEETING – Oakmont Auditorium	
Mon., October 22	6:30 p.m.	Conservation Commission	Lower Level – Town Hall
Wed., October 24	7:30 p.m.	Zoning Board of Appeals	Lower Level – Town Hall
Thurs., October 25	6:30 p.m.	Planning Board	Lower Level – Town Hall
Mon., November 5	6:30 p.m.	Board of Health	Lower Level – Town Hall
Thurs., November 8	6:30 p.m.	Planning Board	Lower Level – Town Hall
Mon., November 12	VETERANS DAY HOLIDAY		
Tues., November 13	6:00 p.m.	Water/Sewer Comm.	Lower Level – Town Hall
Wed., November 14	6:00 p.m.	Board of Assessors	Assessor Office – Town Hall

XI. ANNOUNCEMENTS

Janssens read the announcements as follows:

Town Clerk Reminders:

- January 1<sup>st</sup> and throughout the year – Open registration of voters in the Town Clerk's office at Town Hall – Monday from 7:30 a.m. to 7:00 p.m. and Tuesday through Thursday – 7:30 a.m. to 5:00 p.m. (Town Hall is closed on Fridays.)
- Dog registration is ongoing with the additional late fee of \$10.00 added to each license. The \$50.00 fines have been sent by the Police Department to those who still have not registered their dog(s). This is in addition to the \$25.00 fine previously sent. If you have any questions please call the Town Clerk's office at 978-827-4100 ext. 114.
- Special Town Meeting is Tuesday, October 16, 2012 at 7:00 p.m. in the Auditorium at Oakmont Regional High School, 9 Oakmont Drive.
- Final registration for the State Election is Wednesday, October 17, 2012 from 8:00 a.m. to 8:00 p.m. at Town Clerk's office, Town Hall.

- November 5, 2012, Monday – 12:00 noon – Last day for filing applications for absentee ballots for voters who will be out of town for the State Election.
- November 6, 2012, Tuesday – STATE ELECTION – Polls open at 7:00 a.m. and close at 8:00 p.m. at the J.R. Briggs Elementary School Gym, 96 Williams Road, Ashburnham.

Representative Rich Bastien holds office hours at 6:00 p.m. in the Training Room at the Public Safety Building on the third Monday of every month. To schedule time, call 978-630-1776.

The next meeting of the Board of Selectmen will be held on Monday, November 5, 2012 at 6:30 p.m. in the Training Room at the Public Safety Building.

## XII. SOLICIT PUBLIC INPUT

## XIII. EXECUTIVE SESSION

At 7:35 p.m. Vitone stated that the Board of Selectmen would be entering into Executive Session to deliberate upon matters which, if done in open meeting could detrimentally affect the position of the Town regarding strategy with respect to contract negotiations for non-union employees and to only reconvene into open session to adjourn. Roll call was taken. Vitone – aye; Janssens – aye.

## XIV. ADJOURNMENT

Respectfully submitted,  
Sylvia Turcotte  
Assistant to the Town Administrator