

TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MEETING
MONDAY – MARCH 19, 2012 – 6:30 p.m.
TRAINING ROOM – PUBLIC SAFETY COMPLEX

This meeting was taped for local cable television.

PRESENT: Ed Vitone, Chair, Ron Reed, Member, Gregory Fagan, Clerk, 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

Doug Carlman of 30 South Main Street stated his concern about construction trucks/vehicles using this road as a short cut to get to the Briggs building site. He suggested that they should use 101 to Williams Road. Reed stated that they would notify the Briggs Building Committee and asked Doug Briggs to send out a memo.

III. APPROVAL OF AGENDA

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

Vitone stated that they would skip over Item IV until the scheduled time of 6:45 p.m. for the hearing.

V. OLD BUSINESS - None

VI. NEW BUSINESS

A. Approval of April 24, 2012 Town Election Warrant

Fagan read the warrant, which is attached, and read the openings as follows:

- Moderator – For one year term
- One Board of Selectmen – For three year term
- One Board of Selectmen – For one year term
- Two Board of Health – For three year term
- One Planning Board – For five year term
- One Library Trustee – For three year term
- One Library Trustee – For two year term
- One Library Trustee – For two year term
- One Municipal Light Board – For three year term
- One Ashburnham School Committee – For three year term
- One Westminster School Committee – For three year term

Reed motioned to approve the warrant as presented and was seconded by Fagan. Motion carried.

B. Announcement – DCR consideration of acquisition of property in Ashburnham

Vitone asked Briggs to give a brief explanation to the Board. Briggs stated that the Commonwealth of Massachusetts acting through its Department of Conservation and Recreation (DCR) has under consideration the acquisition of approximately 120± acres of land in the Town of Ashburnham. The property, if acquired, will become totally open space as part of the Ashburnham State Forest. The Board needs to announce this

and also sign the 120 day waiver form if approved. Vitone added that the Conservation Commission has no objections to this request.

Briggs read the announcement as follows:

“In accordance with 301 CMR 51.00, et seq. the Town of Ashburnham hereby certifies that on March 19, 2012 a public announcement was made at a regularly scheduled Board of Selectmen meeting of the Commonwealth’s interest in acquiring a Conservation Restriction over approximately 120± acres of land, or other property interest, in the Town of Ashburnham State Forest. A locus map marked “Exhibit A” showing the proposed acquisition is appended hereto.” ***Reed motioned to approve the announcement per the recommendation of the Conservation Commission and was seconded by Fagan. Motion carried.***

Briggs then read the 120 Day Waiver as follows:

“Pursuant to Code of Massachusetts Regulations Chapter 301 §§ 51.08(10 (a) and (b), I Edward T. Vitone, Chair of the Ashburnham Board of Selectmen, on behalf of the Board, hereby agree to waive the 120 day notice period as required by said section, period as required by said section as to a parcel of land consisting of approximately 120± acres in the Town of Ashburnham, in which the Department of Conservation and Recreation is considering acquiring a Conservation Restriction or other interest.” ***Reed motioned to waive the 120 day notice period per the recommendation of the Conservation Commission and was seconded by Fagan. Motion carried.***

C. Appointments to 250th Celebration Committee

Briggs stated there were four appointments – Kathy McGowan, Kate Mahoney, Karen Mattus and Robert Fichtel. ***Fagan motioned to approve the appointments and was seconded by Reed. Motion carried.***

IV. PRESENTATIONS & REPORTS

A. Liquor License Transfer Hearing – Mr. Mike’s (6:45 p.m.)

At 6:45 p.m. Vitone asked for a motion to open the Liquor License Transfer Hearing. ***Reed motioned to open the hearing and was seconded by Fagan. Motion carried.***

Fagan read the legal ad as follows:

“The Ashburnham Board of Selectmen, acting as the Local Licensing Authority, will conduct a Public Hearing on Monday, March 19, 2012 at 6:45 p.m. in the Training Room at the Public Safety Building, 99 Central Street, Ashburnham, Massachusetts, at the request of the Global Montello Group Corp. of Waltham for the transfer of a Liquor License (Mr. Mike’s), from Alliance Energy LLC, to Global Montello Group Corp.”

Vitone welcomed the applicant and asked for introductions and to explain their request. Attorney John Flick stated he represented Global Montello Group Corp., and he introduced Attorney James Fagan who represented Alliance Energy. Flick explained the purchase of Mr. Mike’s by Global Montello. Attorney Fagan stated that the companies combined and the day-to-day activities would stay the same. Reed inquired if the personnel had gone through the required training and Fagan stated that they were the same employees who have all been trained appropriately.

Vitone then asked if anyone present would like to speak in favor or against the license and there were none. He asked the applicant if they wished to make a closing statement

which they did not, he then asked for a motion to close the hearing. ***Reed made the motion to close the hearing and was seconded by Fagan. Motion carried.***

After a short discussion by the members of the Board, Reed made the motion to approve the transfer of liquor license to Global Montello Group Corp. and was seconded by Fagan. Motion carried.

B. Monty Tech – FY13 Budget

Present were Diane Swenson, Steve Sharek, Tammy Lajoie, Francine Duncan and Gene Hachey. Steve Sharek introduced himself as the Superintendent/Director of Monty Tech and noted that he came to Monty Tech on July 18, 2011. He noted that he was pleased to be asked to attend the Board of Selectmen meeting. He stated that he was proud to say that Monty Tech has only a 0.4% drop-out rate and that this year they have received a record number of applications. He also wanted to commend Diane Swenson, the Chair of their Board, for all her hard work throughout the 16 years she has been on the Board.

Vitone inquired if students could attend Monty Tech without taking any vocational program courses and Swenson responded that they could not. She also wanted to note that enrollment this year was 382 students and next year it would be 370 and added that they were at their capacity right now and had no plans to add on to the school.

At this time, Tammy Lajoie, their Business Manager, reviewed the FY13 budget handouts that were distributed to the Board of Selectmen. It was noted by Swenson that right now the class sizes were between 23 and 38 students.

There was some discussion on why the numbers were higher and also on the capital expenditures and how it was defined. Vitone stated that they have done a remarkably good job and inquired if they had reached out to the local districts on any joint ventures and Sharek stated that they had talked to some and would be interested in doing so.

Reed noted the Town's thanks to Diane Swenson for the 16 years she has served on the Monty Tech Board as their representative.

Briggs took a moment to thank Sharek for the students who repaired the granite stairs at Town Hall today and stated they did a good job for us.

VI. NEW BUSINESS (continued)

D. Approval of Special One-Day (All Alcohol) Liquor License

Briggs stated that this request was from St. Denis Parish, for the Irish Night Dinner, Saturday, March 24th from 5:30 to 8:00 p.m. at Father Lacey Hall. ***Reed motioned to approve the Special One-Day Liquor License and was seconded by Fagan. Motion carried.***

E. Discussion on proposed lease of South Station and request for Humvee from Ashburnham Firefighters' Association.

Vitone stated that this was a discussion only and that no decision would be made at this meeting tonight. He stated that the first request was to lease the South Station facility and he noted that they did receive a draft lease. He noted the second request was for the Humvee which the Fire Department no longer uses and which the Association did put the money up to buy years ago. Briggs stated that they would need to find out if

rules apply regarding the Humvee. He stated that although it was given as a gift to the Fire Department, assets of a certain value, such as this, would probably need to go out to bid. Reed noted that it was \$20,000 to buy this and if the taxpayers contributed it would be a different vote. Vitone stated that the State has laws on how to dispose of property. Rick Sicard of the Association noted that they raised all the funds to purchase the Humvee and Vitone noted this but added that it was donated to the Town, now absent of an agreement. Briggs was asked to check into this for the Board.

Vitone stated that they should discuss the proposed lease of South Station noting that they should decide if they want to lease it or keep it for Town use. Mike Salem stated that he had twelve signatures to support the lease to the Association and that the needed repairs are a concern so they need a timeline. Sicard stated that South Station has fallen into bad disrepair. He stated that it could be the home for the first and oldest fire engine truck in Ashburnham which is now being stored at the Public Safety Building and that they would work with Parks & Rec Committee to store whatever they need to be stored. Rebecca Cinclair, Co-Chair of the Parks & Rec Committee, stated that she was in favor of this idea and wanted to go over the lease. Sicard also noted that everything would be stored inside and nothing would be outside. There was some discussion as to what was on the outside of the structure and what is presently being stored inside.

Discussion followed on the lease language and also to assure that they would keep the lease similar to others, keeping them constant. Reed noted that this was a great idea and is a win/win situation. Fagan agreed and added that this is a positive step and that he was in support. Reed noted that he would like to see the Town step up and fix the building a little. Sicard stated that due to leaks in the roof, they may have mold buildup. Reed stated that Briggs should check to see if the building is covered under the Town's insurance coverage. Briggs stated that he would check to see what is currently being stored in the building. Bill Johnson inquired why the Town doesn't just sell the building and Reed stated that the abutters would not be comfortable with selling so this proposed lease is a good solution. Vitone asked Briggs to set a standard approach with the Town's other leases and that a decision would be made at their next meeting. Briggs noted that this will also require a Town Meeting vote and will need to be on the warrant.

VII. TOWN ADMINISTRATOR'S UPDATE (Report is attached to these minutes and also posted on the Town's website.)

Briggs began by noting the openings on Boards and Committees. He stated there were (2) openings on the Conservation Commission, and (2) on the Historical Commission.

He gave an update on the Water Tank Project stating that the new tank was on line as of 12:30 today. He noted that there was a water break reported on Holden Street and one resident had an issue with the pressure which was resolved. He stated that they were now looking at design plans for the Gardner Hill tank and that the project is still on budget.

He stated that Michelle Johnson started as the COA Director on Monday, March 12th and that she is a great addition to the team. He also noted that Helen Hulecki will be retiring from the MOC staff after over 20 years of serving meals to our seniors and that due to budget cuts, she may not be replaced.

Briggs stated that today he met with Town Counsel and Investar and that it looks like we have a good PILOT agreement which would give the Town an annual \$75,000 plus property taxes. He stated that the properties being purchased will be on Winchendon Road and Murray Road. Vitone stated that we are fortunate to have the Ashburnham Municipal Light Plant as they took the initiative on this project. Briggs stated that this will be voted on at the Annual Town Meeting.

Briggs stated that the Town of Framingham has excess playground equipment that they wish to donate to us. He stated that a few members of the Parks & Rec Committee actually went to Framingham to check it out and they stated that we could use this equipment which includes basketball backboards and a plastic slide/tunnel play structure. He also noted that the DPW has offered to pick up and install this equipment and that he is asking the Selectmen to accept this donation. ***Reed motioned to accept the basketball backboards and the plastic slide/tunnel play structure and was seconded by Fagan. Motion carried.***

Briggs then stated that he has presented the Board a copy of the Parks & Rec Committee budget for FY13 and was asking for their approval. Vitone asked what would be done with the funds in this budget and Mike Salem responded that they would improve the condition of both parks, replace and rebuild the lines and asphalt on the basketball court at Sweeney Playground. He also noted the success of the Winterfest event and how they wanted to promote more events like this and maybe create summer programs as well. Fagan noted that they should talk to other committees on similar programs and look at collaborating.

Fagan stated that he appreciated all that the Parks & Rec Committee does and that they have some great ideas but they should be looking at safety at both parks and parking at Winchester Park. He added that maintenance and upkeep should be first and that some equipment needs to be replaced. Vitone noted that in the final analysis, the Town will appropriate the funds and then the Committee will do what's best and "the need is a statement of fact" and the Committee has to make the best call. Fagan reiterated that the number one priority was maintenance and replacement of equipment as they are in a state of disrepair. Doug Carlman, a Parks & Rec Committee member, noted that the fence was the number one priority.

Reed thanked the volunteers and stated that he accepted the FY13 proposed budget for the Parks & Rec. ***Reed motioned to approve the Parks & Rec budget for FY13 in the amount of \$8,730 and Vitone seconded. Two in favor, Reed and Vitone, and one abstention, Fagan.***

Briggs stated that he met with the Capital Planning Committee on Thursday, March 15th and they voted to approve the FY13 capital items for the ATM warrant. He also noted that he met with the Board of Selectmen on the same night, and the budget for FY13 was also approved and he would send it on to the Advisory Board the following day for their review and vote.

Briggs stated that Monty Tech students came to Town Hall today and repaired the front granite steps but that it will need more extensive repairs so he was getting quotes.

He also noted that the fiber project is gearing up and the IT Advisory Board would be meeting with Guardian the next day to get this moving.

Briggs stated that Town Counsel has finalized the format of the Bresnahan Center lease and it would now be recorded in the Registry of Deeds.

He stated that he would be starting union negotiations for Police and Dispatch in early April.

He also noted that he was working with the Assessors on the fair market value for two properties that may be potential DPW relocation sites on Williams and Platts Roads. He stated that he was also looking at an additional site near the same location. He added that he was looking to submit a bid on one of the properties contingent on ATM approval.

Briggs noted that at the next BOS meeting he would ask the Board about a potential article on the ATM warrant regarding a multi-year lease of the VMS Building with the Sustainability Group.

VIII. APPROVAL OF MINUTES

A. February 29, 2012 Minutes – Joint Meeting with Advisory Board

Reed motioned to approve the minutes of the February 29, 2012 Joint meeting and was seconded by Fagan. Motion carried.

B. March 5, 2012 Minutes – Regular Meeting

Reed motioned to approve the minutes of the March 5, 2012 meeting and was seconded by Fagan. Motion carried.

IX. BOS CORRESPONDENCE

Reed wanted to acknowledge the receipt of a letter from an anonymous taxpayer and added that if anyone wants a response to a letter to the Selectmen, they should sign the letter.

X. MARCH MEETINGS

Fagan read the list of meetings for March as follows:

Committee/Board	Day/Date/Time	Location
Planning Board Hearing for Zoning Bylaw Amendments	Thursday, 3/22/12, 7:30 p.m.	Lower Level, Town Hall
Conservation Commission	Monday, 3/26/12, 6:30 p.m.	Lower Level, Town Hall
Parks & Rec Committee	Thursday, 3/22/12, 7:00 p.m.	Fire Conf. Rm. - PSB
Zoning Board of Appeals	Wednesday, 3/28/12, 7:00 p.m.	Lower Level – Town Hall

XI ANNOUNCEMENTS

Fagan read the announcements as follows:

Town Clerk Reminders:

- January 1st 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.)
- Thursday, March 22nd – 5:00 p.m. – Last day to file objections or withdrawals of nomination papers to the Town Clerk.
- Tuesday, April 3rd – 8:00 a.m. to 8:00 p.m. – Final Registration for the Town Election – Town Clerk’s Office, Town Hall.
- Tuesday, April 17th – 8:00 a.m. to 8:00 p.m. – Final Registration for the Annual Town Meeting – Town Clerk’s Office, Town Hall.
- Monday, April 23rd – 12:00 noon – Last day for filing applications for absentee ballots for voters who will be out of town for the Town Election.

- Tuesday, April 24th – Town Election – polls open at 9:00 a.m. to 8:00 p.m. at the J.R. Briggs Elementary School Gym, 96 Williams Road.
- Saturday, May 5th – Annual Town Meeting – 10:00 a.m. – Oakmont Regional High School Auditorium, 9 Oakmont Drive.
- Dog licenses are now available at the Town Clerk’s Office. Fees are \$10.00 for spayed/neutered dogs and \$15.00 for unsprayed/unneutered dogs. Please bring current rabies certificate. If licensing by mail please include check, rabies certificate, and a self-addressed stamped envelope and mail to Town Clerk, 32 Main Street, Ashburnham.

The Ashburnham 250th Celebration Committee will be holding their 1st Annual “Equinox Bonfire” on Saturday, March 24th from 7:30 to 10:30 p.m. at the Turnpike Rod & Gun Club, Corey Hill Road (foul weather date 4/7/12). The Committee will be selling chili, hot chocolate, soft drinks and cookies and a musical “jam session” is planned. This is a fundraiser to help defray the costs for the 250th events being planned for 2015.

Representative Rich Bastien 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.

Note: The next meeting of the Ashburnham/Ashby Dispatch Regionalization Group will be held on Tuesday, March 20th at 4:30 p.m. in the Training Room at the Ashburnham Public Safety Building. Also, results of these meetings have been posted on the Town’s website and will be updated for informational purposes to keep the public informed on the process. Vitone added that this meeting would be the last one and the next step was the Ashby scheduled Public Input Meeting on April 26th.

The next meeting of the Board of Selectmen will be held on Monday, April 2nd at 6:30 p.m. in the Training Room at the Public Safety Building.

XII. SOLICIT PUBLIC INPUT

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

At 8:35 p.m. Reed motioned to adjourn the meeting and was seconded by Fagan. Motion carried.

Respectfully submitted,
Sylvia Turcotte
Assistant to the Town Administrator