

TOWN OF ASHBURNHAM  
BOARD OF SELECTMEN MEETING  
MONDAY – JUNE 4, 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, Greg Fagan, Clerk, 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           None

III. APPROVAL OF AGENDA

Vitone stated that they would not be discussing the 5-year strategic plan listed under V - Old Business, item C and would put it off until the next meeting. *Fagan motioned to approve the agenda as amended and was seconded by Janssens. Motion carried.*

IV. PRESENTATIONS & REPORTS

A. Review of FY11 Town Audit – Bill Fraher

Vitone asked Bill Fraher to present his report. Fraher distributed a summary of the FY11 Town Audit. He began by stating that with the many recent personnel changes in the Town it may have caused a little confusion. He did note that there were no major surprises in this audit and nothing was identified as serious. He noted the biggest change was the new GASB statement which basically included a change in the fund balance categories down to five. He then proceeded to go over each point looking at a 5-year trend.

Item 1 – General Fund Unassigned Fund Balance – *no large swing*

Item 2 – Free Cash – *2010 was the high year but the drop in 2011 wasn't bad*

Item 3 – Stabilization Fund Plus Capital Improvement – *2011 was higher because it was a combined total*

Item 4 – Total Reserves – *this was a combination of items 2 and 3 which is a healthy amount*

Item 5 – Net Budgetary Variance – *1% due to economic times – is revenues and expenses combined*

Item 6 – Total Revenues & Transfers – *this has been stable*

Item 7 – Large Revenue Components – *property taxes largest source of revenues at 92%*

Item 8 – General Fund Expenditures – *has been relatively stable*

Item 9 – Large Expenditure Components – *this doesn't change a lot*

Item 10 – Total Reserves as Percent of General Fund Expenditures – *6% is good*

Fraher noted that overall this is a good set of numbers. Vitone inquired if Fraher had any recommendations and Fraher responded that it had been a rough start with the three accountants turnover but that they could look towards a chart of accounts project, although this would be a big undertaking.

Vitone thanked Fraher for his report. Fraher noted that he would be sending out the final report by the end of the week.

V. OLD BUSINESS

A. Discussion – South Station Facility

Vitone stated that there was an article on the Annual Town Meeting Warrant to allow the Selectmen to dispose of this building due to a request from the Firefighters Association to lease the facility. He noted that this was zoned residential. He stated that he had asked Doug Briggs

for his recommendation on how to dispose of the building. Briggs stated that he polled the Department Heads on this and found that it was not needed by any department for storage. He stated that he recommends that they put out an RFP to sell the property.

Fagan stated that leasing buildings is costly and that he agreed with Briggs as it was in the best interest of the town not to lease the building. Janssens asked about converting the building as a Senior Center and Briggs responded that there wasn't enough room for them and there was no interest by the Council on Aging Board. Vitone added that it would be hard to justify spending funds to rehab South Station for the seniors for only the twelve or so that attend now. He stated that leasing makes sense if it fits our long-term plan, like the Fredericks Piano Museum building. He added that we should put it out for sale and get it back on the tax role and Fagan agreed stating that in the overall plan, it is in the best interest of the Town to sell.

Janssens asked if it was leased to the Association what would the liability and maintenance standpoint be and Vitone stated that they would do some repairs and maintenance if they leased it but they would want the Town to contribute to these costs. Fagan also noted that the building wasn't historic in nature.

Vitone noted that the Association could purchase the building as well, as the RFP would be at the Board's discretion. Janssens inquired about the assessed value and Vitone stated that it was about \$300,000. ***Vitone made the motion to have Doug Briggs prepare an RFP for the sale of South Station and Fagan seconded. Motion carried with a unanimous vote.***

B. Discussion – Parks & Rec Rules and Regulations

Briggs stated that per Town Counsel the Parks & Rec Committee had the right to regulate the rules and that the rules they submitted were reasonable and enforceable. Mike Salem, Chair of the Parks & Rec Committee stated that they would go with the rules they had initially submitted. Vitone read them as follows: "Open sunrise to sunset; Smoke free zone; No glass; No pets". He suggested they add "No littering" to the list.

Fagan inquired where the signs would be placed at Winchester Park and Salem noted that they would be at the fence near the swings. Fagan questioned whether these rules would apply to the entire park or only the playground area and Salem stated it would be for the entire Winchester Park area. Fagan noted his concerns with the no pets rule as many people walk their dogs in the area between the bandstand and the fenced-in playground. There was some discussion on this topic. Vitone asked the Parks & Rec Committee to take the comments under advisement and to come back with their input and recommendations. It was also noted by Vitone that Briggs should do some research on the MGL as to who has a definitive case.

C. Discussion – 5-year strategic plan for the Town – No discussion – next agenda

VI. NEW BUSINESS

A. Review of Memorial Day Services

Janssens noted that he was very impressed with the crowd and Fagan agreed and added that everyone did a great job. Vitone stated that Greg Fagan did a nice job on behalf of the Board of Selectmen and it was nice to see the various elements of the community at this event.

Briggs thanked the DPW and Ed Schlott for all their work in preparing for this holiday and also thanked the Fire Department for painting the flagpole in front of Town Hall. He added that everything including the cemeteries looked beautiful.

B. Approval of FY13 Appointments

Vitone stated that the Board had the list of re-appointments but questioned whether they should be appointing the Bresnahan Committee. Briggs stated that now that the Bresnahan Board of Directors took over, they probably shouldn't be re-appointed. Vitone asked Briggs to research

this and get back to them. Vitone also noted that there was still an opening on the Capital Planning Committee for an at-large member.

***Fagan made the motion to approve the list of re-appointments, except for the Bresnahan Committee, and was seconded by Janssens. Motion carried.***

C. Appointment to the Montachusett Regional Planning Commission

D. Appointment to the Montachusett Joint Transportation Committee

Briggs noted that the MRPC appointment should be a member of the Board of Selectmen and he added that they meet in the evenings. He also noted that the MJTC appointment was important as it involved the TIPS funding and it was good for the Town to have someone there besides Steve Nims and that this committee also met in the evenings. He noted the importance of having a representative from the Board on both of these committees and also stated that he tries to attend these meetings as well.

Fagan volunteered for the MRPC appointment and Vitone volunteered for the MJTC appointment. ***A motion was made by Janssens to approve both of these appointments and was seconded by Fagan. Motion carried.***

E. Discussion – Sex Offender By-Law

Vitone clarified that this discussion was in no way connected with the current incident that has been in the news, but it was regarding a sex offender bylaw in the Town of Ayer.

Fagan stated that a few months ago a copy of this bylaw was sent to the Board of Selectmen for review. He noted that many towns have adopted this bylaw and that Ashburnham should consider this and work with Town Counsel. Janssens noted that there were state laws that dealt with this issue already. Vitone stated that Briggs should check on this and he responded that he would work with Town Counsel as well. Fagan noted that he felt this exercise was important and was worth exploring. Vitone stated that in his view as there wasn't one contested so far we should look at the state laws currently in place and have it ready, once proven in the courts, then adopt as we wouldn't want to be first where it could be costly.

Vitone stated again that Briggs should do some homework, canvas the state, on this bylaw as well as state laws and then they would review the results. He also noted that in order to enforce this it would require a town meeting vote.

F. Summer Meeting Schedule

Vitone stated that it has been customary for the past few years that in July and August, due to vacation schedules, the Board of Selectmen only hold one meeting per month, unless there is an emergency or a definite need. The members unanimously agreed to hold one meeting per month in July and August. Briggs suggested the third Monday and the Board agreed.

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 the following committees and boards:

- (2) Conservation Commission
- (1) Capital Planning Committee (at-large member)
- (2) Historical Commission

He gave an update on the Water Tank noting that the fencing was up and landscaping was done and it looked beautiful. He noted that there was an issue stopping the completion of the Route 101N project as they were checking on any water leaks before they finish the final paving which is scheduled for when the schools are out on June 13<sup>th</sup>. He also noted that the plaques would be placed at the tank soon. He also noted that the bid came in under estimate by \$60,000 for the Gardner Hill tank to do the painting and refurbishing.

Briggs also noted that with Route 101N all newly paved there may be a tendency to speed so there will be extra patrols to check for any speeders.

Briggs stated that he was proposing a reorganization in the DPW which would require the approval of the Board of Selectmen. He noted that he is proposing Steve Nims as Superintendent of DPW and Water/Sewer, with three foremen and one and a half clerical. He added that it would be a financial wash right now but there would be better service and he believes it would work out well.

***Fagan motioned to approve the Town Administrator’s proposed restructuring of the DPW and Water/Sewer Departments and was seconded by Janssens. Motion carried unanimously.***

Briggs stated that beginning on July 1<sup>st</sup> for the new fiscal year, the following in-house promotions in the Police Department would take place – Sergeant Todd Parsons promoted to Lieutenant; Full Time Patrolman Wade Wright promoted to Sergeant; and Part Time Patrolman John M. Boucher III promoted to Full Time Patrolman. He also noted that Chief Barrett was working with Cushing on the new officer.

He stated that he had contacted the realtor on the purchase of land for the DPW relocation and that all that was needed now was the appraisal.

He noted that Pat Stewart of the North Country Sustainability Center sent a letter to the Board of Selectmen regarding a long term lease of the VMS Building. He stated that if they were interested in more space he would have to go out with an RFP so this wasn’t an option. He also advised her that they now had a committee in place to study and recommend what should be done with the VMS Building. Bill Johnson who is the Chair of the VMS Building Use Committee stated that he was working to schedule their first meeting for Monday, June 11<sup>th</sup>.

Briggs stated that the Light Department has a new webpage which is tied in by video with the Briggs School project. He also noted that Downtown Day will be held on Saturday, June 30<sup>th</sup>.

VIII. APPROVAL OF MINUTES

A. May 5, 2012 – Joint Meeting with Advisory Board

***Fagan motioned to approve the minutes of the May 5, 2012 Joint Meeting with the Advisory Board and was seconded by Janssens. Motion carried.***

B. May 7, 2012 – Regular Meeting

***Fagan motioned to approve the minutes of the May 7, 2012 Meeting and was seconded by Janssens. Motion carried.***

C. May 21, 2012 – Regular Meeting

***Fagan motioned to approve the minutes of the May 21, 2012 Meeting and was seconded by Janssens. Motion carried.***

D. May 29, 2012 – Joint Meeting with Conservation Commission

***Vitone motioned to approve the minutes of the May 29, 2012 Joint Meeting with the Conservation Commission and was seconded by Janssens. Motion carried.***

IX. BOS CORRESPONDENCE – Already discussed.

X. JUNE MEETINGS

Fagan read the list of meetings as follows:

<b>Committee/Board</b>	<b>Day/Date/Time</b>	<b>Location</b>
Council on Aging Board	Monday, June 11, 10:00 a.m.	Lower Level – Town Hall
Conservation Commission	Monday, June 11, 6:30 p.m.	Lower Level – Town Hall
Water/Sewer Commission	Tuesday, June 12, 6:00 p.m.	Lower Level – Town Hall
Board of Assessors	Wednesday, June 13, 6:00 p.m.	Assessors Office – Town Hall

## XI ANNOUNCEMENTS

Fagan 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 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. A reminder will be sent out this month to all those who have not yet licensed their dogs. On June 1<sup>st</sup> a late fee of \$10.00 will be added to each license.

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.

The next meeting of the Board of Selectmen will be held on Monday, June 18, 2012 at 6:30 p.m. in the Training Room at the Public Safety Building.

## XII. SOLICIT PUBLIC INPUT

Bill Johnson asked what the status was of the amended Regional School Agreement and Briggs responded that he had not received it as of this date but would follow up.

Johnson also noted that fiscal year close is coming up and he wanted to know if there would be any request for a Reserve Fund Transfer. Briggs stated that there would be one for Snow & Ice in the amount of \$7,000 to close this out. He noted that at this time there were two departments that may need funds. He added that right now the revenues look good and on the whole, everything looks good. Johnson wanted an update on the regional dispatch situation with Ashby. Vitone stated that it is status quo and they expect word on the grant in two or three weeks and at that point Ashby would need to sign.

Mike Salem inquired about the jersey barriers up in front of the VMS Building and noted that with only one there, cars are parking at the barrier right now. Briggs stated that the NCSC who is leasing the VMS Building had complained to him about the barriers so he had them taken down and had signs placed there, however, he determined that the signs were not working so he had DPW put one barrier back as an intrusive measure. Salem stated that it is not doing the job.

Fagan suggested that those who still drive through should be ticketed and Briggs stated that he would look into this further. Salem noted that the NCSC people and their clientele back up their vehicles and this could be a safety issue for the children at the playground.

## XIII. EXECUTIVE SESSION

At 8:00 p.m. Vitone stated that the Board of Selectmen would meet in Executive Session to deliberate upon matters which, if done in open meeting, could detrimentally affect the position of the Town regarding collective bargaining both pending and ongoing, strategy with respect to contract negotiations for non-union employees and to only reconvene into open meeting to adjourn. Roll call was taken.

## XIV. ADJOURNMENT

*At 8:45 p.m. Fagan motioned to adjourn the meeting and was seconded by Janssens. Motion carried.*

Respectfully submitted,  
Sylvia Turcotte  
Assistant to the Town Administrator