

BOARD OF SELECTMEN MINUTES
MONDAY, AUGUST 12, 2013 – 6:30 P.M.
PUBLIC SAFETY COMPLEX – TRAINING ROOM

This meeting was aired live on local cable television.

PRESENT: Leo Janssens II, Chair, Duncan Phyfe, Member, Nick Davis, Clerk, Doug Briggs, Town Administrator and Sylvia Turcotte, Assistant to the Town Administrator.

I. SALUTE THE FLAG

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

II. SOLICIT PUBLIC INPUT (5 minute limit) None

III. APPROVAL OF AGENDA

Nick Davis motioned to approve the agenda as presented and was seconded by Duncan Phyfe. Motion carried.

IV. PRESENTATIONS & REPORT

A. Briggs School Update

Duncan Phyfe stated that the old Briggs building was down and the project was 92% completed as of last Thursday. He stated that the Dedication Ceremony is set for September 27th at 10:00 a.m. and the Public Open House will be held on September 14th from 9:00 a.m. to 12:00 noon. He added that the project is on budget and the interior of the school is gorgeous.

V. OLD BUSINESS

A. Discussion – PILOT Agreement with Ashburnham Solar

Doug Briggs stated that we are currently waiting for the finalized version of the PILOT agreement from Ashburnham Solar. He stated that the Town's concern was the ending of the contract and the cost of removal. He added that the agreement would give the Town \$60,000 a year for 20 years with the first bill due January 1, 2014 and that the project would be in full production by December 31st. He stated that he was asking the Board of Selectmen for a vote to go forward with this before they sign. *Nick Davis motioned to accept the Town Administrator's proposal and was seconded by Duncan Phyfe. Motion carried unanimously.*

VI. NEW BUSINESS

A. Approval of appointment to Agricultural Commission

Leo Janssens stated that we received a letter of interest from Patty Amburgey to be a member of the Agricultural Commission. She and her husband Scott have a small farm, Amburgey Farm, at 179 Rindge Turnpike Road where they produce maple syrup, raise hogs and garden products. *Duncan Phyfe made the motion to approve this appointment and was seconded by Nick Davis. Motion carried unanimously.*

B. Request for One-Day Beer & Wine Liquor License

Leo Janssens stated that the Fitchburg Sportsmen's Club has requested a one-day beer and wine liquor license for Sunday, September 29th from 12:00 noon to 5:00 p.m. This event is a fundraiser concert for the Ashburnham Conservation Trust which will feature Erica Wheeler.

They are expecting around 100 people to attend. *Nick Davis motioned to approve the one-day beer and wine liquor license and was seconded by Duncan Phyfe. Motion carried unanimously.*

C. Discussion – Town Administrator’s FY13 Evaluation

Leo Janssens stated that each member of the Board did an evaluation and then it was summarized. He read the following summary:

	Janssens	Davis	Phyfe	Summary
1. Accomplishment of Goals	Superior, Above Average	Outstanding	Superior, Above Average	Superior, Above Average
2. Job Knowledge	Outstanding	Outstanding	Outstanding	Outstanding
3. Initiative (Self-Starting)	Outstanding	Outstanding	Outstanding	Outstanding
4. Quality of Work	Outstanding	Outstanding	Outstanding	Outstanding
5. Dependability	Outstanding	Outstanding	Outstanding	Outstanding
6. Public Interaction	Average, Satisfactory	Superior, Above Average	Average, Satisfactory	Average, Satisfactory
7. Communications	Superior, Above Average	Outstanding	Superior, Above Average	Superior, Above Average
8. Cooperation (Working with Co-Workers)	Average, Satisfactory	Outstanding	Average, Satisfactory	Average, Satisfactory
Overall Performance Rating	Outstanding	Outstanding	Superior, Above Average	Outstanding

Duncan Phyfe motioned to approve the evaluation summary as presented and was seconded by Nick Davis. Motion carried unanimously.

D. Review of Town Administrator’s Goals for FY14

Doug Briggs read his goals for FY14 as follows:

1. IT infrastructure, connect the Town Hall, Library, DPW, PSB with fiber and full use of telephone, email, accounting/payroll functions in Munis. Making the PSB the hub of our computer network with back-up redundancy and emergency systems operations.
2. Town Hall steps repairs to include removing all bricks and granite steps on first two levels then pouring a specified underlayment and concrete walking area and resetting the granite steps.
3. VMS oil tank removal and asbestos abatement.
4. Secure funding for Water and Sewer lines on Williams Road, Westminster Street, South Maple Avenue, and Holden Street prior to having those roads reconstructed and paved. These water line replacement costs will be covered 45% by a grant with USDA.
5. Plan for the new DPW and Water and Sewer facility to be built at the intersection of Williams and Platts Roads. He also noted that we may be eligible for a grant through the USDA for 45 to 60% coverage because it’s a joint project with Water and Sewer.

Leo Janssens noted that he would like Doug Briggs to work with other towns like Douglas, to get new procedures for school funding and too many override requests.

Duncan Phyfe stated he would like Mr. Briggs to improve the relationship with the School Committee. He also noted that he should work to keep the ALS plan in place and in order to be in compliance with the Open Meeting Law, set up email addresses for boards and committees. He added that he should think about mentoring for the Fire Chief position.

Leo Janssens noted that he wants a log of Fire calls, with response time, # of calls and how many calls go to outside services.

Nick Davis stated that in regards to the issues with the School, he feels that the Board of Selectmen, the Advisory Board and the School Committee need to communicate and work together. He also noted a group should be established to work on attracting small business in Town and additional revenue.

Doug Briggs thanked the Board for their remarks and the evaluation.

VII TOWN ADMINISTRATOR'S UPDATE

Doug Briggs began his report by stating that he has read many articles recently regarding internet service which is becoming more of a utility. He stated that we need people to step up to serve on the Cable Advisory Board to work on our contract with Comcast which is expiring in 2015. He added that he is urging people to come forward and to work with other communities on this process.

Mr. Briggs stated that he was waiting for the asbestos removal plan which is required prior to getting estimates and also was a part of the contract with our engineering company for the VMS Building asbestos removal.

At this time Mr. Briggs asked Chief Zbikowski to speak about the two grants he wanted to apply for. Chief Zbikowski noted that the scheduling has been tight during the days partly due to Robert Salo being out on disability, but that calls have been responded to quickly.

He stated that the Officers met last month and looked at whether we need one or two people and it was decided they would at least apply for one at this time. He stated that with the Safer Grant they would be hiring a Firefighter/Paramedic which would replace a per diem for two years. This person would be covered for everything including health benefits and after the two years it would be the Town's responsibility. He added that he would let them know that we have a commitment to keep them after the two year period. He noted that they would apply for one this year and then maybe another next year.

Leo Janssens asked if we would take away all per diem shifts and lose them all? Chief Zbikowski stated that they were not looking to do that. Mr. Janssens inquired how long the Firefighter Academy was and he was told 9 weeks. Mr. Janssens also asked if the new hire would have to attend and the Chief stated not necessarily, as they have a certificate program in place which works well and would take less time to complete.

Doug Briggs stated that any grants need the approval of the Board of Selectmen and that the Safer Grant would be to hire on July 1, 2015 for FY15. He also noted that he was in favor and he supports this with the pending retirements. ***Duncan Phyfe motioned to authorize the Town Administrator to allow the Chief to apply for the Safer Grant for one Firefighter/Paramedic. Nick Davis seconded and the motion was carried unanimously.***

Doug Briggs stated that there have been many incidents on Mt. Watatic recently of people needing to be rescued because they are lost. He stated that the Chief would like to apply for a grant to purchase an ATV. He added that this would also need the approval of the Capital Planning Committee.

Chief Zbikowski stated that he has heard that the DCR was planning on blocking the access roads on the mountain, and the trails with jersey barriers, in order to keep out ATV's, which would hamper the rescue process. He stated that they have been up six times so far this season for lost hikers and an ATV would have helped the process to rescue them and also to aid in fighting fires. He noted that the cost for a call of this nature runs between \$500 to \$1,000 and it's usually about a 2 or 3 hour deal to find the people.

Doug Briggs asked the Board for a vote to approve applying for a grant to purchase an ATV. ***Duncan Phyfe motioned to authorize the Chief to apply for a grant to purchase an ATV and was seconded by Nick Davis. Motion carried unanimously.***

Leo Janssens suggested that a separate line be set up in the Capital Plan for grant items and that at the end of the grant, it is reviewed to see if it's worth to continue. He added that he would like to see the Capital Planning Committee have some flexibility without defeating the purpose of the Capital Plan.

Doug Briggs stated that the cash reconciliation for FY13 year-end has been completed by the Treasurer and the Accountant who work very well together.

He stated that the reclamation and paving of Dunn Road is scheduled to start the end of August along with a portion of Lake Road from Cross Street to Sherbert Road.

Mr. Briggs stated that he was approached by a business looking for a BYOB (Bring your own Bottle) license. He stated that after much research he found that this type of license is not governed by the ABCC but by the Board of Selectmen, the local licensing authority. He also talked to many towns and found that there weren't many who had a policy. He also found that the ABCC's General Counsel stated if there is no vote by the Town to prohibit BYOB than an establishment that has a Common Victualler license is allowed to do a BYOB as long as:

1. There is no charge directly or indirectly by the proprietor of the establishment.
2. The customer carries the beverages in themselves.
3. The bottle is in their exclusive possession. Two people cannot share a bottle of wine. Otherwise you have one person delivery to another in a place that is not a residence.
4. Must take whatever you do not consume with you. However, having an open alcoholic beverage container in your vehicle is a criminal offense.

Mr. Briggs also noted that he had a legal opinion from the Town of Millbury's Town Counsel that the Town would not be liable. He stated that he would recommend that the Board of Selectmen vote to take no action and accept the law the way it is. Leo Janssens asked for a motion on this recommendation. ***Nick Davis motioned to go with the Town Administrator's recommendation and was seconded by Duncan Phyfe. Motion carried unanimously.***

Doug Briggs stated that Tighe & Bond and Weston and Sampson would be presenting proposals for the water line replacement project to the Water and Sewer Commissioners on August 13th. He also noted that Leo Collette, the Chair of the W/S Commission was present and wanted to discuss the issue of protecting the lakes. Mr. Collette stated that at the Commission's last meeting the members voted to eliminate all boating on Upper Naukeag Reservoir. He stated that it was a tough decision. He also stated that there was one million gallons of water used by Ashburnham and Winchendon with no backup or safeguards in place for potential exposure of bacterial contamination from other lakes brought on by boats. He stated that no other reservoirs allow boating. He did, however, state that fishing off-shore would still be allowed for now. He noted

that the ban on boating would start on January 1, 2014 and that the Commission was in the process of discussing how to get this information out to the public.

Doug Briggs noted that he was approached by Ron Skaife regarding the possibility of the Council on Aging moving to the Bresnahan Center. He requested that a member of the Board be appointed to work with him on this and Leo Janssens volunteered. ***Nick Davis motioned to appoint Leo Janssens as the Selectmen's representative to work with the Town Administrator on the possible move of the COA to the Bresnahan Center. Duncan Phyfe seconded and the motion carried unanimously.***

Mr. Briggs noted that it is not a scouting facility anymore. He stated it's now a community facility. Leo Janssens inquired as to how much had been donated to this project so far and Dennis Driscoll, the Treasurer of the group, stated that there had been \$50,000 in donations, \$50,000 of support at fundraisers as well as many donations from the American Legion, the Lions Club, the Rotary, banks and many other civic organizations. Val Daigle noted that they needed a letter of support from the Town as part of the grant application through USDA. Mr. Briggs stated that the USDA is looking for a letter of support from the Town which could include the May 18, 2010 Town vote to lease the land to them. He stated that this vote should be put in the letter of support. He also noted that there were no political groups who were against the center in Town. ***Duncan Phyfe made the motion in favor of a letter of support from the Town for the Bresnahan Center's grant application and was seconded by Nick Davis. Motion carried unanimously.***

Doug Briggs stated that the Accountant's office will be moved into the back office of the Assessor's within the next few weeks once the data drops are installed. He added that once the move is complete they may use her office as a small meeting room which is needed.

Mr. Briggs also reminded the Board that they need to establish and review the Accountant's goals and objectives with her. Leo Janssens stated that they would review this with her at their second meeting in September. Duncan Phyfe questioned the status of the reimbursement policy that was to be set by the Accountant and Mr. Briggs stated that the Accountant reiterated the policy that was already in place.

Doug Briggs stated that the Brother Maynard concert held on August 11th was a great success and that another concert is scheduled for Sunday August 18th featuring the New England Swing Orchestra. He thanked the Parks & Recreation Committee for making these events possible.

Leo Janssens asked if Department Head evaluations were available to review and Mr. Briggs stated that they were. He also added that these evaluations are a good tool for managers.

VIII. APPROVAL OF MINUTES

A. July 15, 2013 Minutes – Joint Meeting with Advisory Board

Nick Davis motioned to approve the minutes from the July 15, 2013 Joint Meeting with the Advisory Board and was seconded by Duncan Phyfe. Motion carried.

IX. BOS CORRESPONDENCE None

X. AUGUST MEETINGS and EVENTS – Nick Davis read the meetings and events as follows:

Tues., August 13 – 6:00 p.m.	Water/Sewer Commission	Lower Level Meeting Room at Town Hall
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XI. ANNOUNCEMENTS

Nick Davis read the announcements as follows.

Town Clerk Reminders:

- Dog licenses are still available at the Town Clerk's office. Effective June 1st fees are \$25.00 for unaltered dogs and \$20.00 for altered dogs, and this includes a \$10.00 late fee. Registrations may be made by mail or in person at the Town Clerk's office. Payments can also be made online for RENEWALS ONLY. Please call the Town Clerk's office at 978-827-4100 extension 114 to verify that the current rabies certificate is on file. "Dog fines for those still unlicensed will be issued soon."

Due to the Labor Day Holiday on Monday, September 2nd, the next scheduled Board of Selectmen meeting under the summer schedule will be held on Tuesday, September 3, 2013 at 6:30 p.m. in the Training Room at the Public Safety Building.

XII. SOLICIT PUBLIC INPUT (5 minute limit) None

XIII. EXECUTIVE SESSION

At 7:44 p.m. Leo Janssens made the motion to enter into Executive Session to deliberate upon matters which, if done in open meeting could detrimentally affect the position of the Town regarding pending and ongoing collective bargaining and the approval of Executive Session minutes. He added that the Board will only reconvene into open meeting to adjourn. Duncan seconded and roll call was taken.

XIV. ADJOURNMENT

At 8:03 p. m. Leo Janssens motioned to adjourn the meeting and was seconded by Duncan Phyfe. Motion carried.

Respectfully submitted,
Sylvia Turcotte
Assistant to the Town Administrator