

**BOARD OF SELECTMEN MINUTES**  
**MONDAY, MARCH 3, 2014 – 6:30 P.M.**  
**PUBLIC SAFETY COMPLEX – TRAINING ROOM**

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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 Duncan Phyfe seconded. Motion carried.***

IV. PRESENTATIONS & REPORT

A. Public Hearing – Brothers Pizza Beer & Wine Liquor License

Leo Janssens read the ad as follows: *“The Ashburnham Board of Selectmen, acting as the Local Licensing Authority, will conduct a Public Hearing on Monday, March 3, 2014 at 6:35 p.m. in the Training Room at the Public Safety Complex, 99 Central Street, Ashburnham, Massachusetts, at the request of Nick Kakavitsas, INVA, LLC, for Brothers Pizza and Grill, 47 Main Street, Ashburnham, MA for a new liquor license. Ad was published on Monday, February 10, 2014”*

Mr. Janssens asked for a motion to open the hearing. ***Duncan Phyfe made the motion to open the hearing and was seconded by Nick Davis. Motion carried.***

Mr. Janssens welcomed Nick Kakavitsas and Attorney Mark A. Goldstein who explained the license request. Atty. Goldstein noted that everyone would be TIP certified. He added that they would be serving bottled beer. It was noted that no one spoke in favor or against this license.

In closing Attorney Goldstein stated that he wanted to thank the Board and added that this would be a compliment to the downtown area in Ashburnham.

***Duncan Phyfe motioned to approve the Wine and Beer liquor license and was seconded by Nick Davis. Motion carried.***

***Nick Davis made the motion to close the liquor license hearing and was seconded by Duncan Phyfe. Motion carried.***

B. Award Presentation for Fire Department Personnel

Chief Paul Zbikowski introduced Deputy Chief Jerry Descoteaux, Captain Richard Sicard and retired Battalion Chief Robert Salo. He stated that normally they present these awards at one of their own functions but they felt that these individuals should be recognized for their achievements.

The awards were as follows:

<u>5 Year Service Award</u>	Firefighter Randall Williams and Firefighter/Paramedic Raymond Lashua
<u>35 Year Service Award</u>	Battalion Chief Robert Salo and Chief Paul J. Zbikowski
<u>Probationary Promotions</u>	Lt. Shauna L. Bresnahan and Lt. Jeremy E. Salo
<u>Permanent – Promotions</u>	Lt. Robert M. Plant and Captain John W. Bresnahan
<u>Firefighter of the Year</u>	Firefighter/EMT Tyson David and Firefighter/EMT Derek T. Young
<u>Officer of the Year</u>	Captain John W. Bresnahan

Life Saving Awards (for call on 12/12/12) Captain John W. Bresnahan, Lt. Shauna L. Bresnahan, Firefighter/EMT Katherine R. Kusza and Firefighter/Paramedic Raymond A. Lashua, Jr.

Life Saving Awards (for call on 9/20/13) Captain Paul E. Rekos, Sr., Captain John W. Bresnahan and EMT Karen F. Plant.

Chief Zbikowski stated that he was proud of the work they do. Nick Davis noted his thanks and that they were greatly appreciated. Leo Janssens stated "you guys rock!" and this was followed by a round of applause.

C. DPW Presentation by Weston and Sampson (Jeff Alberti)

Jeff Alberti put on a great presentation on the proposed new DPW facility. A question and answer period followed. The presentation was well received.

V. OLD BUSINESS None

VI. NEW BUSINESS

A. Ashburnham-Westminster Community Access Corp. (AWCA-TV) proposal

Leo Janssens asked Chris Gagnon, president of the AWCA-TV, to come forward to explain their proposal to the Board. Mr. Gagnon explained that with the upcoming cable contract negotiations, they wanted to discuss securing Attorney William Solomon for the purpose of informing each town of any necessary activities, documents or actions that may be required of the Cable Advisory Committee, the Board of Selectmen or the Town Administrator, to facilitate a successful outcome of a new franchise agreement. He noted that Attorney Solomon did an excellent job at the last cable contract negotiations with both towns. He added that the AWCA-TV would like to offer to reimburse 94% to the towns for Attorney Solomon's services.

Leo Janssens inquired about Westminster and if they had agreed to this and Mr. Gagnon stated that they would be presenting this proposal to their Cable Advisory Committee at their meeting. Doug Briggs noted that they had two volunteers so far but that it should be easy now to get five to volunteer to serve on this committee.

Chris Gagnon stated that he was asking the Board of Selectmen to agree to hire Attorney Solomon with a contingency that Westminster also agrees.

***Duncan Phyfe made the motion to go forward with the same attorney (Solomon) with the contingency that Westminster also votes to do the same. Leo Janssens seconded and the motion carried.*** Duncan Phyfe asked that they keep them in the loop as to what transpires.

B. Announcement of Intention of Department of Conservation and Recreation (DCR) to purchase land in Ashburnham

Leo Janssens read the notice as follows:

*"In accordance with the provisions of 301 CMR 51.00, the Commonwealth of Massachusetts, acting through its Department of Conservation and Recreation (DCR), has under consideration the acquisition of approximately 70 (+/-) acres of land in the Town of Ashburnham. This land was formerly used as open space and currently used for the same purpose. If acquired by the Commonwealth the land will be used as open space for conservation and recreation purposes and shall be incorporated into the state system of parks, reservations and forests. The applicable regulations require that an agency proposal to acquire property be made public in a local forum."*

Doug Briggs stated that this satisfies the requirement. He also noted that the land is located northwest of Lake Watatic at the New Hampshire border.

C. Vote to Return Polling Place to J.R. Briggs Elementary School for the April 29<sup>th</sup> Town Election

Leo Janssens stated now that J.R. Briggs Elementary School construction is completed, the polling place will return to the J.R. Briggs Elementary School Gym. Per MGL Ch. 54 Sec. 24, a polling place change must be voted on by the Board of Selectmen twenty days prior to the election. Once voted by the Selectmen, the vote will be sent to the Secretary of State's office to notify them of the change. Also, each household with a registered voter must be notified of the change in the polling place as well. He asked for a motion. ***Duncan Phyfe motioned to return the polling place to J.R. Briggs Elementary School and was seconded by Nick Davis. Motion carried.***

VII TOWN ADMINISTRATOR'S UPDATE

Doug Briggs stated that they have reached a tentative agreement with the DPW union representatives subject to the Board of Selectmen's and the bargaining unit's approval. He stated that he would like to set up an Executive Session for the next meeting on March 17<sup>th</sup> to review the proposed agreement.

Mr. Briggs noted that with the proposed gas line to run through Ashburnham by Tennessee Gas Company, he has had a number of inquiries from residents with concerns. He stated that he is working with Kinder Morgan, their public relations company, to set up a presentation for one of the Board of Selectmen's meetings. He added that he is working towards the March 17<sup>th</sup> meeting and as soon as it is scheduled it will be on the Town's website along with the proposed route. He stated that if anyone has any questions in the meantime, they can contact Ryan McCreedy at 603-725-3802.

He stated that the Parks & Recreation Committee has been offered 2 picnic tables, 1 handicap picnic table, 2 concrete benches and the template to make our own concrete benches in the future by the town of Framingham. He added that he is asking the Board to accept this donation. ***Duncan Phyfe motioned to accept the donation from Framingham and was seconded by Leo Janssens. Motion carried.***

Mr. Briggs stated that the Caucus was held on Monday February 24<sup>th</sup> and those nominated were:

- Moderator Donald "Jeff" Lawrence
- Board of Selectmen Duncan Phyfe
- Board of Health Patrick Durkee
- Planning Board George Cornwall
- Library Trustees (2) Joseph Gallien  
Edward Vitone  
Margaret Donovan
- Municipal Light Board Richard Ahlin

He also noted that anyone interested in running should contact the Town Clerk's office to get papers and that they will need to include the required 25 signatures of registered voters. He added that these papers need to be submitted no later than 5:00 p.m. on Tuesday, March 11<sup>th</sup>.

Mr. Briggs stated that he received a letter from the Police Department stating that there was an armed robbery at Cumberland Farms located at 67 Main Street on Sunday night, March 2 at approximately 11:00 p.m. He read the notice which would be put out as a press release.

He also stated that there was an incident at the Wright Place Pub where they served underage persons which was the result of a sting by the ABCC. The owners have to attend a hearing in Boston and he stated that he would like the Board of Selectmen to send out a request for March 17<sup>th</sup> for the Wrights to attend a hearing at their meeting. He noted that because the Selectmen signed the license they should have a hearing. Leo Janssens questioned that if the ABCC suspends their license do we do this as well? Doug Briggs responded that we need to show that there is no tolerance for this type of violation and that all their employees must be TIP certified. He stated that we would place this on their April 3<sup>rd</sup> agenda.

Mr. Briggs stated that the COA would like to increase their van fares. He stated that the increases were as follows: round trip in town \$1.00, round trip out of town \$2.00, van trip to Boston is \$10.00 and

to Worcester is \$7.00. He asked for a vote from the Board to approve the increases. ***Duncan Phyfe motioned to approve the increases and was seconded by Nick Davis. Motion carried.***

VIII. APPROVAL OF MINUTES

A. February 3, 2014 Minutes – Regular Meeting

B. February 4, 2014 Minutes – Special Meeting

***Nick Davis motioned to approve the minutes for both meetings and was seconded by Duncan Phyfe. Motion carried.***

IX. BOS CORRESPONDENCE Leo Janssens stated that the Board received a letter on the gas pipeline from a concerned citizen.

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

- Wednesday, March 5, 7:00 p.m. – Zoning Board of Appeals - Lower Level at Town Hall
- Tuesday, March 11, 6:00 p.m. – Water/Sewer Commission – Lower Level at Town Hall

XI. ANNOUNCEMENTS

Nick Davis read the announcements as follows.

Town Clerk Reminders:

- January 1<sup>st</sup> and on – Open registration of voters at the Town Hall, Town Clerk’s Office, 32 Main Street, from 7:30 a.m. to 7:00 p.m. on Mondays and 7:30 a.m. to 5:00 p.m. Tuesday thru Thursday.
- Census forms were sent out to all residents in January. Forms are due now. Failure to respond will result in removal from the active voting list. If you did not receive or have questions regarding the form, please call the Town Clerk’s office at 978-827-4100 ext. 114.
- Rabies Clinic will be held on Saturday, March 15<sup>th</sup> from 11:30 a.m. to 12:30 p.m. at the Municipal Grounds Building, 8 Williams Road. The cost is \$15.00. Please bring current rabies certificate. Cats must be brought in carriers during the last half hour of the clinic.

The next scheduled Board of Selectmen meeting will be held on Monday, March 17, 2014 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

XIV. ADJOURNMENT

***At 8:02 p. m. Duncan Phyfe motioned to adjourn the meeting and was seconded by Nick Davis. Motion carried.***

Respectfully submitted,  
Sylvia Turcotte  
Assistant to the Town Administrator