

BOARD OF SELECTMEN
MEETING MINUTES

Approved
1/23/2017

MONDAY, JANUARY 9, 2017 – 6:30 P.M.

TRAINING ROOM – PUBLIC SAFETY BUILDING

This meeting was taped for local television.

PRESENT: Leo Janssens II, Chair, Duncan Phyfe, Member, Kyle Johnson, Clerk, Heather Budrewicz, Town Administrator and Mary Calandrella, Executive Assistant.

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 - Holly Garlock address the Board to speak on school funding. She stated that there was a group of about 128 parents involved in seeking to understand the school budget process from the town level to the state level. She also stated that this group have sent letters to our local and state representatives. She is seeking guidance from the town on how to move forward. Leo suggested that she and the group send more letters from different members to the local/state representatives. Holly thanked the board for their time.

III. APPROVAL OF AGENDA

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

IV. PRESENTATIONS & REPORTS

Public Hearing: Legal Ad read by Leo Janssens, Chairman: Notice is hereby given, under Chapter 138 of the General Laws, that: Ashburnham Hardware, Inc D/B/A Ashburnham Hardware, Inc. located at 41 Main Street, Ashburnham, MA 01440, Richard Allen Wright, Manager, has petitioned the Ashburnham Select Board for a new §15 Wine & Malt Package Store License . *Description of the premises:* Ground floor of 2 story building. 9600 ft² with 1 entrance and 3 exits. Public Hearing to be held on Mon, Jan 9, 2017 @ 6:30pm in the Training Room at the Public Safety Complex, 99 Central Street, Ashburnham, MA 01430.

Attorney Vincent Pusateri representing Richard Wright addressed the board on behalf of his client. Attny. Pusateri stated that Mr. Wright is a local business man that wishes to expand his current business with the sale of alcohol, lottery and tobacco. He ask the board to grant this § 15 Wine & Malt license to this establishment. Leo Janssens asked the audience if anyone would like to speak in favor of granting said license. Resident: Meredith Fagan spoke in favor of granting the license to bring more business to town and to create more revenue for the town. No one else spoke in favor. Leo Janssens asked the audience if any wish to speak against the granting of said license. Heather Cicori spoke against due to the fact that Mr. Wright hire a known local level II sex offender to work at his establishment and that there was a daycare adjacent to his parking lot. She also asked that while he owned/managed a previous restaurant establishment in the same building was he cited for the sale to minors. Attny. Pusateri spoke on that comment and stated he was cited in a sting for the sale to minors and a few other establishments in town were cited as well. Dave Hearne – business owner of Ashburnham Wine & Spirits located immediately across from Mr. Wright's Hardware store spoke against grating the license. He stated that Mr. Wright was cited while owning/operating to different restaurants for selling to minors and over-serving customers. He feels that Mr. Wright has proven poor judgment with holding an alcohol license in the past. He stated that his current hardware store has been wonderful for the community. Attny. Pusateri stated that Mr. Wright would be purchasing a scanning machine to check ID's. Resident: Matt Christensen spoke on a bad experience at one of Mr. Wright's former restaurant. Mr. Christensen went to the Fire House restaurant to find upon entering the establishment several tables were occupied by intoxicated patrons throwing food around. Mr. Christensen wife complained to the bartender and Mr. Wright approached the table to ask about the complaint. Mr. Christensen stated he thought this was a

family restaurant as he had his two young daughters in attendance. Mr. Wright became angry with his compliant and the police were called on Mr. Christensen. No actions were taken by the police. Mr. Christensen also stated that Mr. Wright hire a known level II sex offender. Attny. Pusateri spoke on Mr. Christensen concerns and stated that Mr. Wright hired Dennis Cormier as a sub-contractor to cut wood for him and that he had a right to hire him. Resident at 13 Central St complained that Mr. Wright business is a neighbor to his property and that he has spoken to Mr. Wright several times on various items in the past (i.e. trash and a broken fence) he was rude and didn't care of his concerns. Attny. Pusateri stated there was no trash complaints filed with the town. Resident: Claire Deucher spoke against the license as she stated that there was no need for another liquor store in downtown Ashburnham. Atty. Pusateri state it would be more competition and larger selection. Resident: Cathy Cunningham also spoke against the license being granted as the town doesn't not need another liquor store in the small center of town there is two current establishment across the street that sell liquor. She also spoke on Mr. Wright hiring a sex offender and that she will not visit that hardware store again. Attny. Pusateri stated that he wished she would return as patron but didn't want the negative comments on hiring a sex offender to color the Board's opinion on granting the \$ 15 Wine & Malt license. Resident Meredith Fagan also commented that Tweedos another alcohol license holder was cited for serving to minors as well in the past. Resident: Russell Spuria asked on the parking if it would be the same. Attny. Pusateri stated it would.

Attorney Pusteri closing comments were that Mr. Christensen didn't pay the bill during his bad experience according to Mr. Wright and that hiring of a level II sex offender was within his rights, there were no trash complaints filed with the town in the past. Mr. Wright would be offering a large selection as his footprint within the hardware store would allow for up to 3,000 square feet. Attorney Pusateri asked the Board to look favorably on the applicant Mr. Wright.

Kyle Johnson made a motion to deny a \$15 Wine & Malt liquor license to applicant Mr. Richard wright on the basis of no need in the downtown area and was seconded by Duncan Phfye . Vote was unanimous.

New business owner: Christine Brogan and April Arpano introduce themselves and their business to the Board. The business name is: Ladybug Organic School lunches. They will be offering organic school lunches to any resident and or others. They will be prepared onsite at 51 Main Street but no pickups on site. They will arrange deliveries. Leo Janssens congratulated them on their business and said it was a good outside the box venture.

V. OLD BUSINESS None at this meeting

NEW BUSINESS

The Board spoke on the common victualler's license for 41 Main Street. The Ashburnham Hardware now offers coffee and hot dogs to the public and a common victualler's license is needed.

Kyle Johnson made the motion to approve the common victuallers license for the Ashburnham Hardware store and was seconded by Duncan Phyfe. Motion carried

The Board went over several goals for the new Town Administrator- Heather Budrewicz. Many of items were the same from the Selectman and Heather will document them all and give updated status on each of them to the Board.

VI. TOWN ADMINISTRATOR'S UPDATE

Heather Budrewicz reported on the appointment of new members to the Trust Fund Committee. The appointments are as follows: Tammy Collier, Michelle Johnson and Linda Ramsdell. They have met to address a request from a resident. The Police Department recently promoted Greg Guslaw to Sergeant effective 1/15/17. The Fire Chief Search committee was

established and members are being sworn in prior to their first meeting on 1/17/2017. The hope is to place the advertisement in the appropriate papers by 1/31/2017 and the deadline to apply is February 28th but open until filled with preference given to those applying before 2/28/17. Heather met with the Emergency Management team along with the police chief, fire chief, highway foreman and the building commissioner. The team is well prepared for any type of emergencies. Heather also conducted a department head meeting this morning. She will forward the notes to the Board tomorrow. Heather spoke on the DLTA funding and that she will be submitting an application by the end of January for the Master Plan land use element.

APPROVAL OF MINUTES

December 19, 2016– Regular Meeting

Kyle Johnson made the motion to approve the minutes of December 19, 2016 and was seconded by Duncan Phyfe. Motion carried.

VII. BOS CORRESPONDENCE

Kyle Johnson mentioned that the Greater Gardner Chamber Commerce announce that Priscilla's Candies in Gardner, MA has been in business for 80 years.

VIII. JANUARY MEETINGS and ANNOUNCEMENTS

Kyle Johnson read the following Town Clerk Reminders:

- January 1st 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, and closed on Friday.
- Census forms will be mailed out soon. Please complete and return back to the Town Clerk's office.

The next scheduled Board of Selectman meeting will be held on Monday, January 23, 2017 at 6:30pm in the Training Room at the Public Safety Building.

IX. SOLICIT PUBLIC INPUT (5 minute limit) Claire Deucher spoke on some discriminative language in the by-laws and charter. Heather had spoken to Claire previously on this and it will be corrected.

I. EXECUTIVE SESSION *In accordance with M.G.L. ch. 30A, §21(a) - #3 To conduct strategy sessions with respect to collective bargaining [...] if an open meeting may have a detrimental effect on the government's bargaining [...] position, and the Chair so declares. Collective Bargaining Contract--Strategy*

Kyle Johnson motioned to enter into Executive Session at 7:20pm only to exit session to adjourn and was seconded by Duncan Phyfe. Motion carried

X. ADJOURNMENT

At 9:20pm p.m. Kyle Johnson motioned to adjourn the meeting and was seconded by Duncan Phyfe. Motion carried.

Respectfully submitted,
Mary Calandrella, Executive Assistant