

**JOINT BOARD OF SELECTMEN, ADVISORY BOARD
AND CAPITAL PLANNING COMMITTEE MINUTES
MONDAY, OCTOBER 7, 2013 – 6:30 P.M.
PUBLIC SAFETY COMPLEX – TRAINING ROOM**

This meeting was aired live on local cable television.

PRESENT: **Board of Selectmen** - Leo Janssens II, Chair, Duncan Phyfe, Member, Nick Davis, Clerk
Advisory Board – Bill Johnson, Chair, Joe Oliveira, Bruce Whitney, Gail Dumont, Belden Divito, and Jamie Piedrafite.
Capital Planning Committee – Joe Daigle, Paul Pollastri, Ron Reed, Bill Johnson, and Duncan Phyfe.
Also present – Doug Briggs, Town Administrator, Jeff Lawrence, Town Moderator 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) Steve Gallant, a member of the Parks and Recreation Committee stated that he had concerns about the vandalism at both parks in Town. He noted the recent vandalism of two of the signs at Winchester Park and the bolts that were taken out of the fence. He noted that they should get the cameras up as soon as possible. Doug Briggs stated that at first there was going to be one camera installed at Winchester and since then there have been many vandal events. In the meantime they looked for some quotes for a more comprehensive system for the purchase of cameras for both parks which would tie in to the Public Safety Building. He stated that an article for this purchase is on the October 29, 2013 Special Town Meeting warrant. He added that in the meantime the Police will take more trips up to the parks. Mr. Gallant stated he was frustrated and just wanted to see a camera at the parks in order to avoid any more vandalism. Mr. Briggs stated that he understood and would see that the Police step up patrols.

III. **APPROVAL OF AGENDA**

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

IV. **PRESENTATIONS & REPORT**

A. **Introduction – Representative Jon Zlotnik**

Leo Janssens introduced Representative Jon Zlotnik. Rep. Zlotnik stated that he just wanted to say hello and to let people know that he had scheduled Office Hours in Ashburnham at the Public Safety Building on Saturday, October 12th from 11:00 a.m. to 1:00 p.m. Mr. Janssens thanked Rep. Zlotnik for coming.

V. **OLD BUSINESS** None

VI. **NEW BUSINESS**

A. **Reorganization of the Capital Planning Committee**

Members present were Bill Johnson, Duncan Phyfe, Ron Reed, Joe Daigle and Paul Pollastri. Bill Johnson stated that they needed to nominate a Chair for the Capital Planning Committee. He stated that he nominated Ron Reed and was seconded by Duncan Phyfe. All in favor.

B. **Review – October 29, 2013 Special Town Meeting warrant articles**

Doug Briggs began by stating that the warrant had 14 articles which is all that he had received by October 2nd. He did state that there was an article on the warrant to cover the deductible amount of \$2,500 for the slide that was vandalized at Winchester Park but with the free wood chips from the school, the Parks & Rec Committee would have extra funds in their budget to cover part of the deductible amount. He stated that if they had an issue he would work it out at fiscal year-end.

He noted that the School Committee had asked to place the Regional Agreement on the Special Town Meeting warrant but they decided to wait for the Annual Town Meeting and that the Town of Westminster also wanted to wait until then. He stated that he would remove Article 14 from the warrant.

Mr. Briggs noted that our Free Cash had not been certified yet but that it looked like it would be approximately \$200,000.

Article 1. Mr. Briggs stated that this article was to purchase security cameras for the two parks. He stated that he asked Kyle Johnson, the IT Board, Chair, to go out for quotes and he came back with a \$60,000 system which was too elaborate and told him that we were looking for a system around \$25,000. Bill Johnson stated it would be an expandable system with live feedback, not a tape. Steve Gallant questioned if we really needed live coverage and Leo Janssens stated that it was already set up here at the Public Safety Building and the live coverage will work well with it. Bill Johnson noted that once it's approved at Town Meeting, the system would be set up quickly and correctly.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 1 and was seconded by Nick Davis. Motion was unanimous.

Advisory Board – Belden Divito motioned to recommend Article 1 and was seconded by Joe Oliveira. Motion was unanimous.

Capital Planning Committee – Bill Johnson motioned to recommend Article 1 and was seconded by Duncan Phyfe. Motion was unanimous.

Article 2. Mr. Briggs stated that this article was to erect a Veterans' Memorial at Winchester Park. Bill Johnson stated that they have been working on a design and a budget and that a Committee would be appointed. He noted that they would be looking at fundraisers as well in order to raise more money if needed. He also added that this Veterans' Memorial does not depend on the demolition of the VMS Building as it would be located in back of Town Hall on the lawn area where the big wheel is set up.

Board of Selectmen – Nick Davis motioned to recommend Article 2 and was seconded by Duncan Phyfe. Motion was unanimous.

Advisory Board – Gail Dumont motioned to recommend Article 2 and was seconded by Bruce Whitney. Motion was unanimous.

Capital Planning Committee – Duncan Phyfe motioned to recommend Article 2 and was seconded by Joe Daigle. Motion was unanimous.

Article 3. Mr. Briggs stated that this is the article for the demolition of the VMS Building. Leo Janssens stated that no one has come forward with any ideas on a use for the building. He also added that the building should be marked by a red "X" and that Chief Zbikowski should check this out. Jeff Lawrence, Town Moderator, noted that when making the motion on this article, they should be clear about the burden and danger of this building and how it has served its usefulness. Leo Janssens stated that he would like to be the one to make this motion.

Board of Selectmen – Nick Davis motioned to recommend Article 3 and was seconded by Duncan Phyfe. Motion was unanimous.

Advisory Board – Belden Divito motioned to recommend Article 3 and was seconded by Joe Oliveira. Motion was unanimous.

Capital Planning Committee – Duncan Phyfe motioned to recommend Article 3 and was seconded by Bill Johnson. Motion was unanimous.

Article 4. Mr. Briggs stated that this article would transfer control of the VMS property to the Board of Selectmen.

Board of Selectmen – Leo Janssens motioned to recommend Article 4 and was seconded by Duncan Phyfe. Motion was unanimous.

Advisory Board – Belden Divito motioned to recommend Article 4 and was seconded by Jamie Piedrafite. Motion was unanimous.

Article 5. Mr. Briggs stated that this article was for the borrowing for the installation of water lines on Williams Road, So. Maple Avenue, Westminster Road, and Holden Street. He explained how the borrowing would be through USDA with a 45% grant for a 40 year period and that Tighe & Bond was hired for the engineering at a cost of \$11,500 which would roll into the grant. Joe Oliveira inquired if they looked at any other areas in Town while they were doing this and Mr. Briggs stated that they did look at Corey Hill Road but it had just been paved and it wasn't in the same area. He also added that the Water/Sewer Commission decided not to do Corey Hill Road.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 5 and was seconded by Nick Davis. Motion was unanimous.

Advisory Board – Joe Oliveira motioned to recommend Article 5 and was seconded by Jamie Piedrafite. Motion was unanimous.

Capital Planning Committee – Bill Johnson motioned to recommend Article 5 and was seconded by Duncan Phyfe. Motion was unanimous.

Article 6. Mr. Briggs stated that this article was to change the time and date of the Annual Town Meeting. Joe Oliveira explained his reason to change this noting that on the first Saturday in May many people want to spend the day doing yard work or taking their kids to softball games and he felt it would be easier for residents to attend the meeting on a week night. Ron Reed noted that they have always tried to coordinate the meetings with Westminster. Doug Briggs stated that they would keep the election date the same as Westminster. Jeff Lawrence noted that maybe we should hold the meetings in June when we get the right numbers. Nick Davis stated that it was important for the school and the town to work together as well.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 6 with a change in verbiage to allow the Board of Selectmen to move the date and was seconded by Nick Davis. Motion was unanimous.

Advisory Board – Joe Oliveira motioned to recommend Article 6 with a change in verbiage to allow the Board of Selectmen to move the date and was seconded by Jamie Piedrafite. Motion was unanimous.

Article 7. Doug Briggs gave some background on becoming a Green Community. He stated that if we pass this article for the Solar Bylaw we could be eligible for a grant of between \$145,000 to \$155,000 which could be used for a roof at Town Hall or air system at Town Hall. He also noted that a hearing was

set for October 10th on this bylaw change and that there's a need to increase energy efficiency and this would be the first step. A short discussion followed.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 7 and was seconded by Nick Davis. Motion was unanimous.

Advisory Board – Bruce Whitney motioned to recommend Article 7 and was seconded by Belden Divito. Motion was unanimous.

Article 8. Doug Briggs stated that a Public Forum was held on Tuesday, October 1st regarding the Stretch Code which would basically affect only new construction. He also noted that we would have to do this anyway in January so we might as well do it now and adopt it as of January 1st. Bill Johnson noted that a lot of Building Inspectors have taken some training on this and we will own it, one way or another.

Board of Selectmen – Nick Davis motioned to recommend Article 8 and was seconded by Duncan Phyfe. Motion was unanimous.

Advisory Board – Joe Oliveira motioned to recommend Article 8 and was seconded by Jamie Piedrafite. Five in favor/one opposed.

Articles 9 & 10. Doug Briggs stated that Town Counsel had some concerns about this article. She stated that we would be too much on the front end and it would suit us better to wait until it's tested. He stated that she recommends we put the Moratorium on until July of next year but the Planning Board still wants to go forward with it. Leo Janssens stated that based on Town Counsel's opinion we should take the article off the warrant. Doug Briggs stated that they should wait until after the Public Hearing on October 10th and then decide. Joe Daigle, a member of the Planning Board, stated that they wanted to be pro-active and have Ashburnham lead the way. Doug Briggs stated that he suggests that they keep the article on the warrant as they can always vote no. Leo Janssens stated that we spend enough for Town Counsel and we should listen to her advice. Ron Reed stated that Winchendon has already done this and Joe Daigle noted that it has to be regulated. Doug Briggs stated that the purpose of the Moratorium would be to work on the bylaw during the Moratorium period. Mr. Janssens stated that they should reverse the order of Articles 9 and 10 so that in the case that the Bylaw didn't pass, then the Moratorium might. Joe Daigle reiterated that it's a state law and we have to accept it and the Planning Board as the elected board should follow how it's regulated. It was noted by Jeff Lawrence that the Moratorium could give us time to fine tune the bylaw.

Bill Johnson stated that the Advisory Board can't really take a position on this right now until they get more information. Both Boards agreed.

Board of Selectmen – To Be Determined

Advisory Board – To Be Determined

Article 11. Doug Briggs stated that there have been a number of incidents recently of nuisance barking dogs and we have nothing in our Bylaws to deal with this. He stated that he reviewed the language with Chief Barrett. The Chief approved it and added an enforcement paragraph.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 11 and was seconded by Leo Janssens. Motion was unanimous.

Advisory Board – Gail Dumont motioned to recommend Article 11 and was seconded by Joe Oliveira. Motion was unanimous.

Article 12. Mr. Briggs stated that he would recommend that 50% of the remaining Free Cash be transferred to the Capital Fund.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 12 and was seconded by Nick Davis. Motion was unanimous.

Advisory Board – Gail Dumont motioned to recommend Article 12 and was seconded by Bruce Whitney. Motion was unanimous.

Capital Planning Committee – Bill Johnson motioned to recommend Article 12 and was seconded by Duncan Phyfe. Motion was unanimous.

Article 13. Mr. Briggs stated that he would recommend that 50% of the remaining Free Cash be transferred to the Stabilization Fund.

Board of Selectmen – Duncan Phyfe motioned to recommend Article 12 and was seconded by Nick Davis. Motion was unanimous.

Advisory Board – Gail Dumont motioned to recommend Article 12 and was seconded by Bruce Whitney. Motion was unanimous.

A short discussion followed on the tractor for the school which had not been supported at the Annual Town Meeting and was brought up again by the Superintendent. Duncan Phyfe thought the tractor should be added to the warrant while Nick Davis was not in favor. Bill Johnson stated that the Advisory Board had made no commitment to place this on the warrant and neither did the Board of Selectmen. It was decided that it would not be placed on the Special Town Meeting warrant.

VII TOWN ADMINISTRATOR’S UPDATE

Doug Briggs began his report by stating that Halloween would be celebrated on October 31st from 5:00 to 7:00 p.m. and that Lawrence and Chapel Streets would be closed for the Trick or Treaters. He also noted that there is a drop off box at the Public Safety Building for treats for the residents of Lawrence and Chapel Streets to distribute to the Trick or Treaters.

He also noted that there was a water break on School Street the other day and there was a question on who owned the water line. Steve Nims, the DPW Superintendent stated that the street belongs to Cushing Academy so it’s their water line. He stated that they did go and assist them to repair the break. Mr. Briggs stated that he spoke with Joe McPeak who stated that Cushing would pay the Town for the work that was done. Mr. Briggs also noted that Steve Nims is concerned about this situation and that they would look into it further.

Mr. Briggs noted that there is a pending Conservation Commission appointment and once its approved by the Commission he would appoint the applicant.

Doug Briggs discussed the difficulties that towns are experiencing with the new on-line computerized system put in place by the Department of Unemployment Assistance. He stated that he asked Representative Zlotnik to help with this situation. He also noted that the MMA was bringing the issues and concerns to Secretary Joanne Goldstein.

Mr. Briggs stated that beginning October 1st FEMA would be issuing new flood maps and this would allow the National Flood Insurance Program to substantially increase their rates which could affect some

residents of Ashburnham. He stated that in response to this, the Massachusetts legislators sent a letter to the House and Senate leadership last week calling for a delay in implementing this action.

Doug Briggs stated that he will begin the DPW union negotiations on October 9, 2013.

He also noted that we have submitted for reimbursement from FEMA for the October snowstorm of last year in the amount of \$36,000 and this would come back to us as Free Cash.

Mr. Briggs stated that an actuarial study is being conducted, thanks to Stan Herriott and the Light Board, to get an understanding of the impact of the retirees' health care benefit on Town finances and this study should be done by the end of the month. He also noted that the Town's Health Insurance would increase in January.

He stated that we received our first application for a Farmer Series Pouring Permit. He noted that we reached out to other towns in the Commonwealth regarding what they were charging for a fee for this permit and six communities responded with fees ranging from \$50.00 to \$1,000.00. He stated that our recommendation for this permit is \$100.00. He stated that a public hearing is scheduled for the next Board of Selectmen meeting on Monday, October 21st at 6:45 p.m. He added that the applicant is Keith Kopley owner of Hillside Cellars, at 28 Corey Hill Road. He asked the Board to vote to set the fee and to follow the other guidelines. *Duncan Phyfe made the motion as requested and was seconded by Nick Davis. Motion carried.*

Mr. Briggs stated that he was asked which member of the Board of Selectmen would be speaking at the Veterans Day service and Nick Davis stated that he would be happy to do so.

VIII. APPROVAL OF MINUTES

A. September 16, 2013 Minutes – Regular Meeting

Duncan Phyfe motioned to approve the minutes from the September 16, 2013 Regular Meeting and was seconded by Nick Davis. Motion carried.

IX. BOS CORRESPONDENCE None

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

Tuesday, October 8 – 6:00 p.m. – Water/Sewer Commission - Lower Level Town Hall

Wednesday, October 9 – 5:00 p.m. – Board of Assessors – Assessors Office Town Hall

Thursday, October 10 – 6:30 p.m. – Planning Board – Lower Level Town Hall

Monday, October 14 – Columbus Day Holiday – Town offices closed

Thursday, October 17 – 7:00 p.m. – 250th Celebration Committee – Stevens Memorial Library

Saturday, October 19 – 5:00 p.m. – Historical Society Annual Fundraiser Auction

XI. ANNOUNCEMENTS

Nick Davis read the announcements as follows.

Town Clerk Reminders:

- Friday, October 18 – **Final Voter Registration** for Special Town Meeting – Voter registration forms will be available at the Dispatch Center at the Public Safety Building, 99 Central Street from 8:00 a.m. to 8:00 p.m.
- Tuesday, October 29 – **Special Town Meeting** – 7:00 p.m. at Oakmont Regional High School Auditorium, 9 Oakmont Drive.
- Dog fines in the amount of \$25.00 (per dog) were sent to all residents whose dogs were unlicensed along with a letter from Police Chief Barrett. Dogs must be licensed and fines paid within 21 days. Please call the Town Clerk's office at 978-827-4100 extension 114 if you have any questions.

The next scheduled Board of Selectmen meeting will be held on Monday, October 21, 2013 at 6:30 p.m. in the Training Room at the Public Safety Building.

XII. SOLICIT PUBLIC INPUT (5 minute limit)

Steve Gallant stated that the roads were bad in town as well as the sidewalks. Leo Janssens stated that the budget is the issue. Doug Briggs stated that since he has been Town Administrator they have focused on the roads. He stated that the Town has hired Weston Sampson to do an analysis on the roads to prioritize the ones that need attention first and are the most traveled. He noted that there have been many roads done in the past years and they had planned to do the sidewalks with the \$173,000 from the state that we didn't get. He also noted that Route 101S is on the TIP for 2016 and we have spent all of the Chapter 90 funds this year as well as the \$125,000 article funds. He closed stating that we are continually trying to do things to make it better.

At this time Bill Johnson asked the Advisory Board for a motion to approve their minutes from May 4, 2013. *Joe Oliveira made the motion and was seconded by Bruce Whitney. All were in favor.*

Doug Briggs asked for a motion to have the Board of Selectmen sign the October 29, 2013 Special Town Meeting warrant. Nick Davis motioned to sign the warrant and was seconded by Duncan Phyfe. Motion carried.

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

At 8:40 p. m. Duncan Phyfe motioned to adjourn the meeting and was seconded by Nick Davis. Motion carried. All Boards in attendance adjourned the meeting.

Respectfully submitted,
Sylvia Turcotte
Assistant to the Town Administrator