

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN MINUTES
OCTOBER 5, 2009 – 7:00 P.M.
FAIRBANKS MEMORIAL TOWN HALL – UPSTAIRS MEETING ROOM
*Amended***

This meeting was aired live on local cable television.

PRESENT: Ed Vitone, Chair, Maggie Whitney, Clerk, Jonathan Dennehy, Member, Doug Briggs, Town Administrator and Sylvia Turcotte, Assistant to the Town Administrator.

The Pledge of Allegiance was led by Maggie Whitney. Vitone called the meeting to order at 7:03 p.m.

II. SOLICIT PUBLIC INPUT

Kelly Behringer stated her concern regarding the Public Safety Complex use by non-profits. She asked the Board if they could wait for this discussion until another person arrived. It was noted by Vitone that they would place this discussion under New Business on the agenda.

III. APPROVAL OF AGENDA

Dennehy motioned to approve the agenda as amended and was seconded by Whitney. Motion carried.

Vitone expressed the Board's thanks to Dottie Munroe for her idea of displaying the date of the meeting for the taping. He added that this was a great idea.

IV. PRESENTATIONS & REPORTS

A. Paul Zbikowski, Fire Chief – Goals & Objectives

Briggs stated that the Fire Chief would be a little late because of a class that he had to attend. Vitone stated that they would pass over this item for now.

V. TOWN ADMINISTRATOR'S UPDATE (Report attached)

Briggs began by reviewing the preliminary draft of the November 19, 2009 STM Warrant:

Article 1 – Housekeeping article to transfer funds in the FY10 Budget as a follow up.

Article 2, 3 and 4 – To transfer funds – we are following up.

Article 5 – Snow & Ice – to offset

Article 6 – Personnel Bylaw changes

Article 7 – To adopt new fee structure changes under Chapter 40 re: municipal liens

Article 8 – Legal fees re: delinquent taxes

Article 9 – Public Safety Revolving Fund for Police and Fire which needs to be re-voted annually at the Annual Town Meeting.

Article 10 – Free Cash

Article 11 – Stabilization Fund

Article 12 – Free Cash to Stabilization

The mailer to advise residents of the STM, to be distributed with the Light bills was also discussed. Briggs report was interrupted to accommodate Kelly Behringer.

VII. NEW BUSINESS

C. Public Safety Building use by non-profits

Vitone asked Kelly Behringer if she was prepared to speak on this topic and she responded that she was. She stated that the Girl Scout troops just don't have any funds and she was asking the Board of Selectmen to consider "no charge" for non-profits to use the PSB for their meetings. She noted that J.R. Briggs School does not allow them to meet there anymore and the church is too cold during the winter months. She added that they did meet at the PSB last year. Vitone stated that they would look at all the options and they would respond to Donna Michaels. He added that they needed to figure out what to do. Briggs stated that they would look at other options in other municipal buildings in Town and come up with a policy that is fair.

V. TOWN ADMINISTRATOR'S REPORT (continued)

Briggs stated that he gave the Board the monthly report from the Department Heads for the month of October. He also noted the existing openings on Town Boards and Committees.

He noted that at this point, the computer system issues resulting from the Town Hall flood damage were all resolved.

Briggs stated that the FY10 Budget is somewhat of a moving target at this point and that he was looking at an alternative budget with the 25% cut from the State looming. He noted that the new growth figure is \$65k. Vitone stated that in regards to the FY10 Budget, they shouldn't wait for the State's announcement but should implement the cuts now. Briggs stated that they need to go forward with a plan and implement it and all the Board members were in agreement with this action. Briggs stated that he would have this before the Board for the next scheduled meeting.

Dennehy inquired when the FY09 audit would be completed and Briggs stated that it was scheduled to be complete by the end of February, which is not a late timeframe. Dennehy stated that this needs to be kept on track.

Briggs stated that Mark Petersen had filed for a Sewer Rate Relief Fund grant and that he had asked Senator Brewer to help push this through for the Town.

Briggs also noted that the last group of funds has been filed from the Ice Storm. He stated that the NIMS training had been completed.

Briggs stated that he attended the MMA Boot Camp for Town Administrators and that it was a good meeting. He noted that he learned that when issues in Executive Session minutes are completed even without a quorum of the Board, they can be released as a draft copy. Whitney stated that they should release the Executive Session minutes at an Executive Session on Monday, October 19th at 6:00 p.m.

He stated that he sent out letters to the non-profits in Town in order to inform them of the Town's financial situation and they included Cushing, 7th Day Adventist and the Light Department. Dennehy stated that they should look at what Cushing has already done for the Town and their contributions as we don't want to undo the successful relationship between Cushing and the Town.

Dennehy stated that he appreciated all the effort by Steve Nims to get Route 12 paved.

Briggs also reported that the water tank was in disrepair and the Town needed to cover the top to insure that water doesn't get within the cracks this winter. He stated that they would place tarps over the top for now but that this was a critical aspect.

Briggs stated that he was working with Comcast to get the live feed set up at the Public Safety Complex so that the Selectmen's meetings could be held there during the winter months.

Briggs also noted that Comcast had updated their service in Ashburnham and that there would be a slight increase noted in the November billing to residents who are customers.

VI. OLD BUSINESS

A. Response to Mr. & Mrs. Adams

Vitone gave the Board's response and it was noted that the Parcel was 40C not 41C.

Vitone stated the following responses to the five issues from the Adams:

- 1) Martin Suuberg of the DEP stated that a notice of non-compliance was issued and that on 2/14/07 a return to compliance letter was issued. DEP stated that there were no outstanding issues.
- 2) The issue of the land ownership was researched and it was found that the Town does not own the land and that the owner was either Kevin Lashua or Rice. He also noted that the Town would start to assess taxes to Lashua on this property.
- 3) The Brownfield study was never submitted.
- 4) Regarding the soil on the Adams property, the Board of Health assessed this and stated that this is basically a private issue.
- 5) The Zoning Enforcement Officer was asked about Lashua's current use of the property and he stated that there were no zoning enforcement issues on this site.

It was also noted by Vitone that Nashoba was asked to inspect the Lashua site and the results would be sent to the Adams once they were received.

B. Review of BOS Initiatives

Dennehy gave an update on the IT Study Committee stating that they met with Briggs today to review the draft of the RFP. He added that this Committee deserved a lot of credit for all their hard work. He noted that once the RFP is finalized it would be put out to bid and the Committee would help review the bids received.

Whitney asked Briggs to give an update on the Short and Long Term Disability. Briggs summarized what had transpired noting that it would be cost effective for the Town. Vitone added that the Town employees had no coverage for extended absences due to accident or illness and as a responsible employer the Town should provide this to employees. He added that this would be brought before the Town Meeting next month. Whitney stated that it would be good for the employees as well as the taxpayers.

Vitone stated that the Special Act Committee would hold one more meeting and then would come before the Board of Selectmen with their recommendations and ask for the Board's input as well as input from the public.

Vitone noted that the Capital Planning Committee would be meeting with the Water and Sewer next and then they would be prepared to give their input to the Selectmen. He added that the "needs are many and the funds are few".

Vitone also noted that the Tax Base Study Committee was meeting the following night.

Dennehy stated that the Briggs Study Committee hadn't met recently. He discussed how the community use points had been taken away which would affect the reimbursement rate as well as impact the facility itself. However he did note that they would consider green initiative points.

C. Review BOS Task List

Whitney gave the update on the Task List as follows:

Total tasks – 141; complete tasks last meeting – 20; completed tasks in total – 120; pending/in progress tasks – 20, and to be announced tasks – 1, resulting in an 85% status.

At this point Chief Zbikowski was present and was asked to present his goals and objectives to the Board.

Chief Zbikowski reviewed his report (attached) with the Board of Selectmen.

Goal #1 was to update their Suggested Operating Procedures with the time of completion between March and July 2010.

Goal #2 was to train and qualify a team of fire personnel in Rapid Intervention Training. He noted that they train every Wednesday night with some type of training. A short discussion followed on officer training. The time of completion for this goal was between December 2009 and May 2010.

The third goal was to train and license the drivers to the Commercial Drivers License level with a completion date of between January 2010 and January 2011.

Goal #4 was a plan for Fire Alarm System/Dispatch/Communications Upgrades with a completion date of between December 2009 and January 2010.

Goal #5 was to streamline department operations with a lot of cross training. The completion time for this goal was March 2010.

Goal #6 was to institute an Officer Training Program looking at completion of this goal between July and November 2010.

Goal #7 was NIMS training compliance. He noted that right now the Town personnel were all minimum compliant and they are looking at being “all” compliant by October 2010. Vitone stated that they should set up a matrix way in advance of this goal.

Goal #8 was to prepare for pending Insurance Services Office inspection with a completion of between April 2010 and May 2010.

Goal #9 was to attain Nation Accreditation and to set standards for the department. The Chief stated that he was looking at completion dates of between July 2010 and January 2011 but that it would ultimately take approximately 5 years.

The final Goal #10 was to provide 24/7 Paramedic coverage. He noted that his goal was to hire additional per diem paramedics by November 2009 with a future goal to hire additional full time staff subject to funding.

Dennehy noted that the Chief should try to attach budget related numbers to the list of goals. Zbikowski responded that these goals and objectives were all within the budget. Vitone noted that he was impressed with the fact that most were actionable goals and he added that the Chief should be commended as this was a good format.

Briggs noted that they submitted the last FEMA reimbursement and wanted it known that Chief Zbikowski had done a fantastic job for the Town.

Chief Zbikowski announced that the 2nd Annual Thanksgiving Dinner would be held at the Public Safety Building in the Fire Training Room and that more information would be forthcoming. He added that it was a great success last year.

D. Further discussion and vote on MRPC issues/alternatives

Vitone stated that a presentation would be held on Tuesday, October 13th at 1:00 p.m. on the Feasibility Study for the VMS Building and the Board would get the Council on Aging’s input and would make a final decision at their next meeting on how to proceed going forward.

Briggs stated that the Affordable Housing Committee had offered to assist MRPC in their pursuit of a CDBG Grant for the Town.

Vitone stated that the third item of business with MRPC was an appeal on a discharge of lien for Case #4. Briggs stated that there wasn’t any imminent sale of this property planned but Dennehy stated that this wouldn’t be an issue if there was no planned sale. He added that they should just wait this out and take no action at this time. ***Unanimous vote by the Board to not accept this appeal.***

E. Discussion on possible sale of Town Owned properties

Vitone stated that their number one priority is to get these properties on the tax roll. Whitney stated that they should give the abutters the option to buy with the notification. Dennehy stated that they would publicize with ads etc.

Vitone also stated that they could look at combining the smaller lots that abut each other into a larger one and Dennehy stated that the auctioneer could do this and that they could work with him on this as a term of sale.

Whitney stated her concern with the market at this time and if it would be wise to do this now. Dennehy stated that they should weigh the assessed value and the new growth and also factor in the 25% cut in state aid. He noted that his personal belief is that there's no time like the present and Briggs agreed.

Vitone asked the other members to review the first three columns of the listing from the Treasurer and to mark what they want to sell and then they could vote this at the next meeting under the Consent Agenda.

VII. NEW BUSINESS

A. Review November 19, 2009 Special Town Meeting Warrant Articles

It was noted that this had been covered in the Town Administrator's report earlier in the meeting.

B. Discussion of pro's and con's of Oakmont Student assigned to Board of Selectmen

Whitney stated that Dave Uminski, Principal at Oakmont had asked if this was planned. Vitone stated that it was a good idea but he had a concern about this being a special appointment because it's televised. Dennehy stated that it probably would not be very beneficial to the student. Vitone suggested that they have that person sit in the front row at the meetings and make comments. Whitney noted that it worked well with the School Committee. Vitone stated that they would invite a student to participate as a citizen or a little above and Dennehy added that it would be like an internship.

Dennehy stated that they should find out what Uminski had in mind and Whitney stated that she would check with him.

Vitone also asked Whitney to check with Uminski regarding the babysitting issue for Town Meetings.

VIII. CONSENT AGENDA

Dennehy motioned to approve items A, C and D under the Consent Agenda, noting that he was not present at the September 21st meeting, and was seconded by Whitney. Motion carried. Briggs noted that under Item C, the Boy Scouts would be camping out on the front lawn at Town Hall on the Friday and Saturday night of the weekend of Downtown Days at the end of June.

Whitney motioned to approve Item B of the Consent Agenda and was seconded by Vitone. Motion carried.

IX. ANNOUNCEMENTS

Whitney read the following announcements:

- November 9, 2009 – Final Registration for the Special Town Meeting – 8:00 a.m. to 7:00 p.m. Town Clerk’s Office, Town Hall
- November 18, 2009 – Final Registration for the State Primary – 8:00 a.m. to 8:00 p.m. at Town Clerk’s Office, Town Hall
- November 19, 2009 – Special Town Meeting @ 7:00 p.m. Upstairs Meeting Room at Town Hall
- December 7, 2009 – 12:00 noon – last day for filing applications for absentee ballots for voters who will be out of town for the State Primary.
- December 8, 2009 – State Primary – Polls open at 7:00 a.m. close at 8:00 p.m. at J.R. Briggs Elementary School 96 Williams Road.
- December 30, 2009 – Final registration for the State Election – 8:00 a.m. to 8:00 p.m. at Town Clerk’s Office, Town Hall
- January 15, 2010 – 5:00 p.m. – last day for filing applications for absentee ballots for voters who will be out of town for the State Election.
- January 19, 2010 – State Election – Polls open 7:00 a.m. close at 8:00 p.m. at the J.R. Briggs Elementary School 96 Williams Road.

Farmer’s Market – every Monday from 4:00 to 7:00 p.m. Last night for this event will be October 12th.

Trick or Treat will be held on Saturday, October 31st from 5:00 p.m. to 7:00 p.m.

Seasonal flu shots are scheduled at the Senior Center on Tuesday, October 13th between 11:00 a.m. and 1:00 p.m. The Nashoba Associated Boards of Health is working with the School, Police and Fire Departments in our community on a plan for an H1N1 clinic in our community. The clinic will be school located and is designed to target school aged children but it is a community clinic. They are working on dates for the clinics but have nothing firm pending word on the delivery of the H1N1 vaccine. They anticipate that most of the clinics will be operated with volunteers, school nurses and their community health nurses.

Whitney also noted that the next meeting of the Board of Selectmen would be held on Monday, October 19, 2009 at 7:00 p.m.

X. BOS CORRESPONDENCE

XI. SOLICIT PUBLIC INPUT

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

At 9:05 p.m. Whitney motioned to adjourn the meeting and was seconded by Dennehy. Motion carried.

Respectfully submitted,
Sylvia Turcotte, Assistant to the Town Administrator