

TOWN OF ASHBURNHAM  
BOARD OF SELECTMEN MEETING  
MONDAY – OCTOBER 18, 2010 – 6:00 p.m.  
TRAINING ROOM – PUBLIC SAFETY COMPLEX

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This meeting was aired live on local cable television.

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

I. The Pledge of Allegiance was led by Maggie Whitney. Vitone called the meeting to order at 6:00 p.m.

II. SOLICIT PUBLIC INPUT

III. APPROVAL OF AGENDA

***Reed motioned to approve the agenda as presented and was seconded by Whitney. Motion carried.***

At 6:03 p.m. Vitone stated that they would recess the meeting until Shelly Hatch from MRPC arrived. At 6:05 p.m. Vitone reconvened the meeting with the arrival of Ms. Hatch.

IV. PRESENTATIONS & REPORTS

A. Public Hearing – Shelly Hatch re: CDBG Grant (6:05 p.m.)

Shelly Hatch from MRPC was present and asked that the Notice of Public Hearing be read. Whitney read the notice as follows:

“The Town of Ashburnham Board of Selectmen will hold a Public Hearing on Monday, October 18, 2010 at 6:00 p.m. in the Meeting Room at the Public Safety Complex, 99 Central Street, Ashburnham, Massachusetts 01430 to solicit citizen comments and input on the following Community Development Block Grant activities:

- FY11 Grant Application which may include a Single, Joint or Regional Housing Rehabilitation Program, Infrastructure project, Public Social Service program, Design projects, and other grant eligible projects.
- Community Development Strategy
- Target Area and Bonus Points
- Any other grant related issues

Any person or organization wishing to participate or provide comment is strongly encouraged to attend or contact the Board of Selectmen.

Ashburnham Board of Selectmen  
Edward Vitone, Chairman”

***Reed then motioned to open the Public Hearing and was seconded by Whitney. Motion carried.***

Hatch began by distributing handouts to all present and stating that this year’s application was due on Friday, December 10<sup>th</sup>. She noted that the application would be judged by the following three criteria; the target area, bonus points and the community development strategy. She also stated that two Public Hearings had to be held and she suggested that another hearing should be held in the next few weeks. It was suggested

by Reed that the next hearing could be held on Election Day, November 2<sup>nd</sup> at Briggs in the evening between the hours of 5:00 and 7:00 p.m. Briggs stated that he would check with the Town Clerk and work with her to set this up at the election.

Hatch stated that the target area encompasses the downtown area of Ashburnham. She also discussed how bonus points are earned. Vitone asked her to review if roads counted in the point calculation. Briggs stated that they would be doing work on Corey Hill Road, High Street with Hastings Road out of the \$125,000 from the Article on the Warrant.

Hatch stated that they needed 100% response from all the residents in the target area and she briefly went over a report which stated that they had about 50% of the responses to date.

She also noted that any projects listed on the application had to be new not a repair or maintenance project and that it had to be within the target area.

Meredith Fagan asked if the upgrades planned for the playground in Winchester Park would be considered as a viable project and Hatch stated that it could be used but that they would need a letter and backup documentation. Briggs asked if the signage at the Animal Pound would qualify and she stated that it would along with a letter as documentation. She also noted that any projects would have had to happen last year or in this year and that all the projects would be listed on the last page of the priority list. Reed asked about the solar panel project and she stated that it would also be an eligible project.

Hatch stated that she would request that the Board of Selectmen continue the hearing to adopt a revised strategy at their meeting on November 15<sup>th</sup>. She also reminded the Board that they needed support letters as well as letters from the Board of Selectmen, Building Inspector, Town Administrator and Board of Health.

Whitney noted her concern as a Selectman living on Hastings Road in the target area and stated that she would get a ruling from the Ethics Board on this before she sent in her information and letter.

Hatch stated that she would leave some applications with Sylvia in the Town Administrator's office. She noted that all letters should be addressed to the Board of Selectmen on the roads in question and that surveys should be submitted as well.

Reed wanted it clear that the Town does not see any financial reports and that they were strictly confidential and kept by MRPC.

Hatch did state that Corey Hill Road was the only one eligible so far and she reiterated the need for 100% response from residents on the target area roads. She noted that a second notice would go out the following day for responses. She also stated that whatever street is chosen they would also need to know of any vacant parcels and would need to explain any possible use. She added that any foreclosed properties would be considered vacant as well.

***At this time the Board thanked Hatch and Reed motioned to recess the Public Hearing until November 15<sup>th</sup> and was seconded by Whitney. Motion carried.***

B. Mark Petersen – Goals & Objectives (6:45 p.m.)

Mark Petersen began by briefly reviewing his FY10 Goals & Objectives for the Water Department. (See attached.)

1. Develop a maintenance/replacement plan for High St. Water Tank and pursue funding thru SRF and Rural Development. Petersen stated that this had been done and that they did get the grant and Tighe & Bond had been contracted.
2. Update telemetry system on the water tanks. He stated that they did the upgrade on the antennas but they found that no new telemetry was needed.
3. Set up a hydrant replacement schedule and create a gate valve exercising program. Petersen noted that Mike Walker had created a list of hydrants which totaled 25 and that some did not have gates. He stated that they would go back and try to correct this.
4. Develop user awareness re: cross connection and water conservation. Petersen stated that they sent out flyers in the bills showing a graph with circles and the results of constant drips and gave out hose bibs, like shut-off valves to residents who requested them.
5. Develop a training program for back-flow testing in-house. He stated that this didn't happen as it would have consisted of a five-day training program.
6. Update and finalize water rules and regulations. He stated that this had been done and that the Water/Sewer Commissioners had voted on it. He also noted that the Water rates were lowered by 30%.

Petersen then proceeded to go over his FY10 Goals & Objectives for the Sewer Department. (See attached.)

1. Evaluate alternative septic processing options: 1) Fitchburg 2) Renegotiate with Gardner. Petersen stated that they looked into going with Fitchburg but the cost was too high. He stated that they also checked with Winchendon and that it would be at a cost of \$11.5m. He stated that they were still looking at Gardner as their best alternative.
2. Submit application for "Sewer Rate Relief". He noted that they did submit this but that it was taken off by the Governor, so it wasn't going to happen.
3. Update Sewer rules and regulations. He stated that the updates were done but that the Commissioners had not voted to accept them yet.
4. Improve chemical program at Westminster pump station by creating daily log and a monthly update. He noted that Siemens gave them a new 1,100 gallon tank which masks the odors. He stated that you can go online and check a drips and odor logs. He added that they had also updated the odor chemical feed pumps. He also stated that the Sewer rates were lowered by 32%.

Petersen then proceeded to review his FY11 Goals & Objectives as attached.

1. Review Water and Sewer Billing procedures. He began by stating that about 80% of the calls they receive is because they don't understand the billing. He stated that he was training in the Munis system and did go to Leominster to view their billing process using this system, which was very helpful. He noted that in Munis there was a way to put in jobbing on the system towards the water bills and that he also wanted to put rates on the bills with last year's past history.
2. Review and establish policy for usage. Petersen stated that he wanted to develop a formal entry form that would work with the Building Department and the permit process.
3. Review mapping procedures and storage. He stated that at present they have many maps at the DPW Garage which are not organized. He noted that they would be

working on updating the as-builts by Street number. He also stated that they wanted to look into the benefits of scanning maps as a backup similar to the City of Leominster's system and to check on the cost to do this.

4. Institute preventive maintenance plan for manholes. He stated that it was time to go and check the manholes and to prioritize and categorize them. He also noted that they will be inspecting all the catch basins.
5. Intermunicipal agreement on Water line maintenance with Winchendon. He stated that the line in question is Winchendon's main trunk on Sherbert Road and they do keep it up. He stated that they have used the Reverse 911 system and signage which works well to notify residents in that area of any issues with the water. He added that responsibility is in question and they are working on this.
6. Review/Cost improvement opportunities. He stated that he was looking at working with other towns to save funds. He also stated that he had already started to assign tasks to his employees to investigate opportunities to save.

Vitone stated that Petersen has been doing a very good job and both Whitney and Reed agreed. Reed asked if all the new water meters had been installed and Petersen stated that only seasonal homes remained and that they planned to finish these soon. A short discussion followed on assessing the remainder for the delay in installation.

Briggs stated that Petersen had done a great job in his first year as Water/Sewer Superintendent.

C. Larry Barrett – Goals & Objectives (6:55 p.m.)

Barrett began his review of his FY10 Goals & Objectives, attached.

1. Strict cruiser replacement plan. Barrett stated that this was set up in the Capital plan and that once this was done they planned on the replacement and actually set up a replacement program. He noted that they received the new cruiser this year and they will be back in line by next year.
2. Professional training for all public safety dispatchers. Barrett stated that they received a \$25,000 grant for training and equipment last year and that two of the full-time dispatchers went to the academy for training which cost between \$12,000 and \$15,000.
3. Regional dispatch feasibility study. He stated that he applied for a grant for a feasibility study with five other communities to regionalize dispatch and that they are still weighing the options and keeping the door open, looking at other avenues.
4. Provide video and audio cameras in all marked patrol vehicles. He stated that they were able to purchase four systems last year, one for each cruiser. He noted that now they were able to keep videos in the evidence room. He also noted that this was 100% funded through a grant.
5. Update area mutual aid agreements. He stated that some of the present mutual aid agreements have not been updated for a while and that he was working to get this done.
6. Reduce injuries and illegal activity on the lakes in Ashburnham. He noted that they were out doing marine patrols sporadically this summer and that this was the first full year that the boat was in use. He noted that there were no injuries or accidents this year which may be contributed to the marine patrols.
7. Obtain state accreditation. He stated that the purpose of this was to basically keep all policies and procedures in line.

At this time Barrett reviewed his FY11 Goals & Objectives which are also attached.

1. Increase web based training for police officers. He began by stating that this was becoming a problem due to budget cuts so they are now using web-training. He stated that most web-training was free at this time although the Municipal Police Institute training was at a cost of \$60 per officer. He added that they would also be doing the MIIA Training and this would save the Town 2% on their insurance.
2. Professional training for all part and full time public safety dispatchers. Barrett stated that at the present time the two other full time dispatchers were attending the academy through the grant. He noted that Ashburnham would be the first Town with all full-time dispatchers trained. He also noted that they were all certified in EMD.
3. Review department policies and procedures. He noted that this is in process and is ongoing.
4. Implement department cost savings without reducing service. He noted that this is a yearly thing and that he is always looking at ways to save.
5. Improve radio communications. He stated that the State Department purchased the 800 MHZ radio. He noted that this allows all departments to communicate with others and it should be fully operational shortly.
6. Create a more structured Chain of Command within Department. Not discussed.
7. Provide two officer patrol shifts 24/7. He stated that for the past 10 plus years the goal has been to get two officers on each shift and that they need to find a way to do that. He noted that we can't rely on other communities because they are in the same situation. He stated that he would be coming back to the Board of Selectmen with a plan for this soon. Barrett stated that he was still looking at regionalization and that they already regionalized the Animal Control and the Drug Task Force. He also noted that they are organizing a Crime Task Force, and a Domestic Violence Task Force per the District Attorney's office due to the increase in these crimes. He noted that they have been working very closely with New Hampshire as well.

Vitone stated that the need is genuine but that it is a budget issue and that if they could regionalize dispatch it might mean more funds would be available. Reed asked what the cost would be per officer and Barrett responded roughly \$65,000 per person. Vitone stated that if the cut by regionalizing dispatch could see enough savings, they could look at close to two new officers. Barrett stated that regionalizing is a big step but there was no interest in other communities right now to follow through. He noted that he would look at every avenue and work with the Town Administrator. Vitone thanked Barrett and stated he was doing a good job.

## V. OLD BUSINESS

### A. Review of BOS Initiatives and Task List

Whitney stated that they had the one task which was regionalization and Vitone stated that this was tied in to the meeting with Westminster. Briggs stated that he needed the Board of Selectmen's Goals and Objectives so that he could work towards these goals. Vitone stated that each member would submit three strategic ideas and visions for the Town and then get them to him to consolidate and then they would discuss these at their next meeting on November 1<sup>st</sup>.

B. Discussion on Article 15 of the Special Town Meeting warrant and vote to incorporate in General Bylaws Article.

Briggs stated that Article 15 deals with vacations for Town employees which is actually part of the General Bylaws and that it should be moved to be included in that Article. The Board of Selectmen unanimously agreed to move the contents of Article 15 to the Bylaw article.

Briggs also noted that they should remove Article 7 which dealt with the escrow account for the Quinn Bill. He stated that he met with the Union and the Chief on this issue and if it's determined and resolved, at that point, he would meet with them again at that time.

***Reed motioned to remove Article 7 from the Special Town Meeting Warrant and was seconded by Whitney. Motion carried.***

***After a short discussion on where to place the \$22,000 from Article 7, Reed motioned to transfer these funds to the Stabilization Fund and was seconded by Whitney. Motion carried.***

C. Vote on Special Act and General Bylaws final changes recommended by Committee.

Vitone stated that the Special Act Study Committee reviewed all the comments from the Public Input Session. He stated that the general sentiment of the Committee regarding the "ombudsman" was that it needed more work and that they would postpone indefinitely and the Committee voted not to include it at this time.

Vitone referenced the minutes from the Special Act Study Committee of October 7<sup>th</sup> which are attached to these minutes. He stated that the Committee deleted the criteria for compensation of the Interim Town Administrator. He stated that under the General Bylaws, the Committee voted the following changes.

- Section 0 – Delete automatic escalation of fines and specify update every 5 years.
- Chapter 2 – Section 2 – Re-word to read "For the position of Selectmen only at the annual election, a newly elected Selectman will begin his/her term at the next meeting of the Board of Selectmen following the completion of the Annual Town Meeting, but not later than June 30<sup>th</sup>." (Note – Ed Vitone added the underlined phrase to allow Selectmen elected at a special election to take office immediately.)
- Chapter 11 – Section 2 – Modify language to eliminate jurisdictional issue with Planning Board on scenic roads.
- Chapter 21 – Section 5 – Delete emergency access provision and incorporate as policy.
- Chapter 27 – Section 3.11 – Delete BOS approval of recruitment expenses and incorporate as policy with BOS to approve deviations from policy.
- Chapter 27 – Section 5.35 – Delete reference to Ombudsman in sexual harassment section.

Vitone also noted that Town Counsel believes we cannot have un-date specific for the term of the new Selectmen and we were waiting for a better ruling from her on this issue. He noted that there was a lot of good input made at the Public Session.

Vitone noted that in Section 5 they didn't change the "40 mile radius for the Town Administrator" and to remove the cross-out and if accepted, they would leave it on the Warrant. He also noted a few other deletions and asked that the "bold" comments be removed as they were not relevant.

Vitone spoke about the fact that the quorum was down to zero as one of the changes and that this is the result of checking with the Town of Westminster, where it has worked out well.

Whitney noted that she was pleased that the Ombudsman was off, adding that if the DOR didn't approve of them acting as Interim Town Administrator, then they probably wouldn't approve of this either.

***Whitney motioned to accept the final recommendations of the Committee on the General Bylaws, subject to Town Counsel input and was seconded by Reed. Motion carried.***

***Whitney motioned to accept the final recommendations of the Committee on the Special Act, subject to Town Counsel input and was seconded by Reed. Motion carried.***

***Whitney motioned to place both these articles on the Special Town Meeting Warrant and was seconded by Reed. Motion carried.***

Vitone thanked the Committee who worked diligently for 18 months to get these changes to the Special Town Meeting.

## VI. NEW BUSINESS

### A. Discussion on Planet Aid Box located at Transfer Station

Whitney stated that she heard from residents that there was a TV (\$50) a headboard and some pots and pans left in front of the Planet Aid Box located at the Transfer Station. She stated that a few days later she was informed that three more mattresses (\$35 x 3 = \$105) had been added to the location and she pointed out the fact that only clothing was to be dropped off in this box. She stated that this was unfair to those who follow the guidelines. She stated that many of these boxes had been removed in other locations because of this same issue. Vitone stated that Planet Aid is a bonafide non-profit but that they sell at a for-profit facility. Reed noted that maybe it needs to be in a very visible location in order to be monitored. ***After a short discussion, Reed motioned to have the Planet Aid Box removed from in front of the Transfer Station and Whitney seconded. Motion carried.***

### B. Discussion on sending Town Meeting "postcards" or outside signage

Briggs stated that a message from the Selectmen inviting residents to the Special Town Meeting, sending it out as a trifold was a good idea. He stated that it could be printed at Town Hall and taken to the Light Department to be tri-folded with postage being the only cost. Reed stated that he liked the memo but that we should also highlight the articles in the body of the message. All Board members agreed that this was a good idea. Whitney also mentioned Duncan Phye's suggestion which was a hand-out at the election which listed 5 top reasons to attend. Vitone also noted placing a whiteboard with the information in a visible spot at the election.

- VII. TOWN ADMINISTRATOR'S REPORT (His report is attached to these minutes.)  
Briggs began by stating that Trick or Treat in Ashburnham was scheduled for Sunday, October 31<sup>st</sup> from 5:00 to 7:00 p.m.

Briggs went over the timeline set for the Special Town Meeting and Special Ballot for Briggs. He noted that the verbiage for the ballot had been forwarded to Bond Counsel for review and that he would ask the Board of Selectmen to approve December 16, 2010 as the date for the Special Election. ***Whitney motioned to approve the Special Election date of December 16, 2010, at Briggs Elementary School, from 7:00 a.m. to 8:00 p.m. and Reed seconded. Motion carried.*** Briggs also noted that the Warrant Articles were with Debbie Phillips for review at this time.

He noted a request that he received from Dr. Zapantis on a possible "Briggs Maintenance Trust" which would have the Town investing funds and these funds being matched by the Grant which would be used for Briggs as a "School Facility Maintenance Trust". He stated that he questioned who would control these funds and if it was the best use of the Town's funds. Vitone stated that he was initially in favor but if it was in a trust fund upfront then there was no real savings. He noted that there were more pressing capital needs right now. Whitney stated that she was not in favor of this.

Some discussion followed after which Reed suggested that the Town could match funds if the School used some of their E & D account to fund a trust of this type for Briggs. It was decided that Town Administrator Briggs would talk to Dr. Zapantis about this scenario.

Bill Johnson also noted that they should send a letter to Westminster to schedule a meeting to discuss possibly changing the language in the Regional Agreement to reflect an increase in the dollar amount set for capital items. Briggs stated that he would schedule this meeting.

Briggs noted that Mary Ellen Kelly was working out very well as the new Land Use Administrator, doing a very good job.

He stated that he was scheduled to meet with the IT Advisory Board on Thursday night to discuss regionalizing, among other topics. He stated that Brad Warren from Guardian would be in attendance and that they would be discussing the possibility to maybe tie in with Rutland's program. He noted that he did discuss this with both Chiefs and that he was looking for the IT Board's recommendation on this possibility. He noted that they would also be looking at phone costs and how to lower them and to inventory what we presently have.

VIII. CONSENT AGENDA

A. October 4, 2010 Minutes – Regular Meeting

***Reed motioned to approve the minutes of the October 4, 2010 Regular Meeting. Whitney seconded and the motion carried.***

IX. BOS CORRESPONDENCE

Whitney stated that she received a call from a resident who had a dog issue and was unable to find the phone number for the Animal Control Officer in the Verizon phonebook. She stated that after checking the directory she found that there was no listing for the fire or police departments. She stated that we should correct this with

Verizon. Reed suggested that in the interim, we could put a listing of all pertinent Town numbers in the Municipal Light bills, which was well accepted by the Board.

## X. ANNOUNCEMENTS

Whitney read the announcements as follows:

Town Clerk Reminders:

- Absentee ballots are available in the Town Clerk's office at Town Hall
- Monday, November 1<sup>st</sup> – 12:00 noon – last day for filing applications for absentee ballots for voters who will be out of town for the State Election.
- Tuesday, November 2<sup>nd</sup> – State Election – Polls open 7:00 a.m. and close at 8:00 p.m. – J.R. Briggs Elementary School Gym, 96 Williams Road.
- Wednesday, November 17<sup>th</sup> – Special Town Meeting – Oakmont Auditorium at 7:00 p.m.

Veterans Day Services will be held on Thursday, November 11<sup>th</sup>. More information will be announced at the next meeting.

The next meeting of the Board of Selectmen will be held on Monday, November 1, 2010 at 6:30 p.m. in the Training Room at the Public Safety Building.

She also noted that there would not be an Executive Session.

## XI. SOLICIT PUBLIC INPUT

Vitone asked for any Public Input and Bill Johnson noted his concerns with the recent article in the Sentinel and Enterprise regarding the Ashburnham Ambulance Service and he asked for comments from the Board. Vitone stated that both he and Briggs would characterize this problem. He noted that they would look at past data and also check data from other communities and once this has been done they would then get the Chief's assessment. He also added that they would address this again at the next meeting.

Whitney stated that Kevin Doherty, the reporter at the Sentinel had called her and also Pixie Brennan regarding this issue and that they did not call him. She also noted that he would no longer be the reporter for our town as he would be moving to the Fitchburg beat. She noted that our ambulance was out of service at this time and asked when it would be back in service. Briggs stated that the ambulance had body work that needed to be done, it had an oil leak and needed to be inspected and some detailing needed to be done. He stated that it would be back in service this week.

Reed stated that they should check to see how often Woods responded while our ambulance was on another call.

Johnson expressed his frustration with this situation and that he has felt this way for years. He noted that this was a poor reflection on the Town and that they needed closure. Vitone noted that they would compile the data and then give a full report and Johnson stated he was okay with this.

Pixie Brennan stated that she spoke with Chief Zbikowski and had a good conversation with him. She also noted that she was glad that she spoke with the reporter and that maybe this shows that they should not keep the personnel who don't answer the calls. She added that all Public Safety Departments are understaffed. She stated that the study on the data

should be from either February or May when the ambulance was in service and Vitone stated that was a good suggestion.

Meredith Fagan wanted to let everyone know that a meeting was scheduled for all interested parties on Wednesday, October 20<sup>th</sup> at 6:30 p.m. at the Library, to brainstorm on the updating of the playground at Winchester Park.

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

*At 8:40 p.m. Reed motioned to adjourn the meeting and was seconded by Whitney. Motion carried.*

Respectfully submitted,

Sylvia Turcotte  
Assistant to the Town Administrator