

**BOARD OF SELECTMEN MINUTES**  
**MONDAY, MARCH 17, 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

Leo Janssens stated that Item C under New business would not be discussed as the issue was resolved beforehand. **Nick Davis motioned to approve the agenda as amended to skip over Item C in New Business and Duncan Phyfe seconded. Motion carried.**

IV. PRESENTATIONS & REPORT                      None

V. OLD BUSINESS                                      None

VI. NEW BUSINESS

A. Memorial Day Services – Selectman to Speak

Leo Janssens noted that they needed to decide which one of them would be the speaker at the Memorial Day Services. **Leo Janssens made the motion to have Duncan Phyfe speak at the services and was seconded by Nick Davis. Motion carried.**

B. Approval of a One-Day Liquor License – St Denis Parish

Leo Janssens stated that St. Denis Parish is planning their annual “Irish Dinner Night” for Saturday, March 22<sup>nd</sup> from 5:30 to 8:00 p.m. at the Father Lacey Hall and they are asking for a One-Day All Alcohol Liquor License for this event. **Duncan Phyfe motioned to approve and was seconded by Nick Davis. Motion carried.**

C. Discussion on AWRSD E&D Funds                      Pass over

D. Discussion on vote to authorize land surveillance of town-owned land

Leo Janssens asked Nick Davis to speak on this. Mr. Davis stated that there are many residents who have very valid questions regarding the Tennessee Pipeline. He stated that they expect the Tennessee Pipeline people to be at the next Board of Selectmen meeting or they will want the Board to rescind the Town’s vote to allow surveillance on two parcels of Town-owned land. Leo Janssens stated that the Board doesn’t have any answers for these residents so they will need to wait until the gas pipeline people come to their meeting. Nick Davis also added that they should bring clear, precise maps when they come to present. Doug Briggs stated that he would check with Town Counsel on whether rescinding the Board’s vote was possible.

There were two Athol residents present who stated that they have tried to get the Tennessee Gas Pipe Line people to attend their meetings and they have not been successful. They also noted that there are many communities who are concerned about this. Leo Janssens noted that there was a meeting to discuss this issue at the Library on Monday, March 24<sup>th</sup>. Cynda also noted that there’s a website called “Everyone’s Back Yard” that includes a lot of information on this issue. Leo Janssens added that Ashby is

having a four-hour presentation on March 29<sup>th</sup> on this issue and they have hired a lawyer. There were also some concerns brought up about the maps being legible and regarding the watershed and what, if any, effect this would have.

## VII TOWN ADMINISTRATOR'S UPDATE

Doug Briggs stated that the Annual Town Meeting warrant would be closing on Tuesday, March 18<sup>th</sup>.

He also noted that Monty Tech's assessment to the Town went up because they are assessing the Town for last year's additional assessment, which can be done according to the DOR.

Mr. Briggs stated that he has sent out a request for proposal which was initiated on March 11<sup>th</sup> for the Town's insurance; property and casualty, police and fire accident and death benefits and they are due on April 16<sup>th</sup> at noon.

He stated that he met with the new Headmaster at Cushing, Chris Torino, on March 11<sup>th</sup> and they had a good discussion. He also noted that they spoke about Cushing's involvement with the Town's 250<sup>th</sup> Celebration and that it coincides with their 150<sup>th</sup>.

Doug Briggs stated that he attended an informational meeting held in Ashby for the FY15 budget with administrators and legislators. He noted that the legislators were projecting an increase of \$75 per student in Chapter 70 aid and it didn't happen, an increase in regional transportation reimbursement, current about 65%, and also an increase in local aid (received just short of 3%). He stated that the legislators were very hesitant to believe that the Governor would release the \$100m in additional Chapter 90 aid that was voted. They believe that it will be released once there's a new governor in November. He added that that this would equate to \$173k for the Town for road repairs to include sidewalks on So. Main Street and a part of 101 South, which are now on hold. He also noted that the Route 101 South project is back on the TIP for 2015 and that it's a \$3.5m to \$4m project. Mr. Briggs asked the Board for a vote to allow us to apply for funds to review the Williams Road intersection. ***Duncan Phyfe made the motion to go forward and apply for funds to review the concerns at the Williams Road intersection and was seconded by Nick Davis. Motion carried.***

Mr. Briggs noted that last week he had the opportunity to be a substitute bingo caller for the Council on Aging and he really enjoyed helping out.

He stated that he held the bid opening on March 12<sup>th</sup> for the VMS asbestos removal. He stated there were 19 companies that showed interest and 7 submitted bids. He stated that Premier Abatement out of Methuen, MA was the low bidder at \$47,432 so it fits in with the \$50,000 budgeted for this project. He stated that he recommends that the Board authorize entering into a contract with Premier Abatement. ***Nick Davis motioned to approve entering into a contract with Premier Abatement and was seconded by Duncan Phyfe. Motion carried.***

Mr. Briggs stated that he is asking the Board to approve the over-expenditure of the Snow & Ice account which is currently \$67,000. He added that this is the only over-expenditure the State allows and we will cover this deficit at the end of the fiscal year through either inter-departmental transfer or raise it on the recap sheet. ***Nick Davis motioned to approve and was seconded by Duncan Phyfe. Motion carried.***

He stated that he needed to ask the Board to approve the FY13 Audit as presented and noted that Bill Fraher wasn't able to attend this meeting. He read the Summary on the FY13 Audit which was submitted by Mr. Fraher.

*“Written Report to Board of Selectmen – FY13 Audit*

- *Audit went well – no major surprises and no major audit adjustments.*
- *Once again, no material weaknesses or reportable conditions in management letter, leaving minor matters.*
- *Single Audit (federal requirement) done for 2013 due to water tank project (loan and grant).*
- *Accountant converted fixed assets to a new software package – good improvement.*
- *General fund budget still tight. 2013 budget variance was 0.8% on revenues and 1.3% on expenditures.*
- *General fund free cash about the same as last year (approximately \$275,000).*
- *Capital improvement plus stabilization total increased from \$438,000 to \$612,000.*
- *Total general reserves (free cash plus stabilization and capital improvement) up from 5.6% of budget to 6.7%. Still on low end of suggested range of 5% - 15% but improving.”*

***Nick Davis motioned to approve the FY13 Audit and was seconded by Duncan Phyfe. Motion carried.***

Leo Janssens asked Bill Johnson if the Advisory Board was okay with the audit and he stated that they were meeting on Monday, March 24<sup>th</sup> to discuss. Mr. Janssens also asked that the audit be posted on the Town’s website.

Mr. Briggs noted an issue with the Transfer Station sticker sales. He stated that he was notified by the manager of Ashburnham Marketplace that in order to keep selling stickers they will need a \$.25 increase on what they currently get for selling the stickers. He stated that they would be looking into some type of resolution and that they had the following choices:

- Increase the cost of the stickers to \$5.25 from \$5.00
- Sell the stickers from the Town Hall Monday thru Thursday
- Develop a cost for a year sticker for the car
- Eliminate the use of the Transfer Station and have residents seek a private company.

He stated that he would try to resolve this by the end of the week and that the Market currently sells about 90% of the stickers. He also noted that the Transfer Station serves 100 to 125 residents. He stated that for now they would give the \$.50 to the Market and figure out what to do next.

Mr. Briggs stated that a vote on the proposed new DPW facility would be on the ATM warrant and we would also need a debt exclusion vote. He stated that instead of having another Town Election if it did get approval at Town Meeting, he wants to place this debt exclusion ballot question on the April 29<sup>th</sup> Town Election. He added that this would save about \$3,000 which is the cost of holding another Town Election as it does need the two votes to pass. He noted that the DPW Superintendent wants to hold an Open House at the current DPW facility before the Town Election. Bill Johnson stated that it might be a good idea to pay to mail out the information beforehand to give access to all information to all residents and they could even put through a reserve fund transfer for the postage. Nick Davis also noted that they could use the 911 system as well to get the information out to residents. ***Duncan Phyfe motioned to put this debt exclusion question on the April 29<sup>th</sup> Town Election warrant. Nick Davis seconded and the motion carried.***

He also announced that the 2<sup>nd</sup> Annual Easter Egg Hunt would be held on Saturday April 12<sup>th</sup> at 1:00 p.m. with a rain date of Sunday, April 13<sup>th</sup>.

VIII. APPROVAL OF MINUTES

A. March 3, 2014 Minutes – Regular Meeting

***Nick Davis motioned to approve the minutes for the March 3, 2014 Regular Meeting and was seconded by Duncan Phyfe. Motion carried.***

IX. BOS CORRESPONDENCE

Leo Janssens stated that the Board received a letter from Bob Fichtel regarding the vote by the Water/Sewer Commissioners to ban rowboats on Upper Naukeag Lake. Bob Fichtel gave a brief statement noting that the Water/Sewer Commissioners, per the DEP, needed to come up with a “Source Protection Plan”. He stated that when they voted on this, no notification was sent to the abutters stating that they banned fishing boats. He stated that they gave a petition with 125 signatures to the Water/Sewer Commissioners noting their displeasure with this vote. He stated that no mandate was sent out by the DEP and that the Commissioners need clear signage. He stated that he wanted his questions to be sent to Town Counsel for her review and ruling on this matter. Nick Davis stated that he agrees that Town Counsel should be contacted.

Leo Janssens stated that the Board appoints the Water/Sewer Commissioners but that they are independent, but would have to abide by Town Counsel’s ruling. Duncan Phyfe asked for a copy of the report which he received.

Bob Fichtel stated that once they get the ruling from Town Counsel he would like to be notified as to what action can be taken. He also noted that they are working with the Water/Sewer Commissioners by letting them know what other towns are doing. He added that we need a clear policy and signage. Doug Briggs stated that he would contact Town Counsel.

Mr. Janssens stated that the Board also received a letter from Roger Hoyt asking for an acknowledgement of his son Jeffrey’s achievement as an Eagle Scout. He stated that a certificate was presented to Jeffrey from the Board of Selectmen.

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

- Wednesday, March 26, 4:00 p.m. – Board of Assessors – Assessors Office at Town Hall
- Thursday, March 27, 6:45 p.m. – Planning Board – Lower Level at Town Hall
- Thursday, March 27, 7:00 p.m. – 250<sup>th</sup> Committee – Stevens Library

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.
- March 27<sup>th</sup> at 5:00 p.m. – Last day to file objections or withdrawals of nomination papers to the Town Clerk.
- April 9<sup>th</sup> – from 8:00 a.m. to 8:00 p.m. – Final registration for the Town Election in Town Clerk’s office at Town Hall.
- 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.
- Dog licenses are now available at the Town Clerk’s office. Fees are \$10 for altered dogs and \$15 for unaltered dogs. Please bring the current rabies certificate. If licensing by mail, please include

check, rabies certificate and a self-addressed envelope to be mailed to the Town Clerk's Office, 32 Main Street, Ashburnham. Also, online payments can be made for dog license RENEWALS ONLY. Please call the Town Clerk's office first at 978-827-4100 ext. 114 to verify that a current rabies certificate is on file. Complete the information online and the dog license will be mailed.

The 13<sup>th</sup> Annual Ashburnham-Westminster Community Hockey Game will be held on April 5<sup>th</sup> at 5:00 p.m. at the Cushing Academy Iorio Arena. Gates open at 4:00 p.m., pre-game at 4:30 p.m. \$5.00 fee. Road Race/Fun Run will be held on Saturday, April 5<sup>th</sup> at 9:00 a.m. from Briggs Elementary to Cushing Academy. These events will benefit Oakmont student A. J. Fayorsey and his family.

The next scheduled Board of Selectmen meeting will be held on Monday, April 7, 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

***At 7:26 p.m., Leo Janssens stated that the Board will enter into Executive Session to deliberate upon matters which, if done in open meeting, would detrimentally affect the position of the Town regarding ongoing Collective Bargaining and to only enter into open session to adjourn. Nick Davis seconded and the motion carried.*** Roll call was taken.

XIV. ADJOURNMENT

***At 7:50 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