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Present: Wayne R. Walker, Heather M. Billings, and John F. Fairbanks
Planning Board Members: William (Bud) Taylor, Mike Fortin, and Jon Wyman

CALL TO ORDER

Mr. Walker called the meeting to order at 6:00 p.m. in the Selectmen’s Office at Town Hall. He announced that the meeting was being broadcast live and recorded by Ashburnham Westminster Community Access TV.

APPROVAL OF WARRANTS/MINUTES

Mr. Fairbanks moved that the Board approve the minutes of November 4, 2013 as printed. The motion was seconded and passed unanimously.

Board members reviewed and approved the following warrants:

November 21, 2013	#31D Deduction	\$ 141,613.01
November 25, 2013	#33 Accounts Payable	\$1,105,558.90
December 2, 2013	#34 Accounts Payable	\$ 308,107.92
	#35 Payroll	\$ 170,739.22

TAX CLASSIFICATION HEARING

On behalf of the Assessors, Robin Holm was on hand to recommend the Board vote to adopt a factor of 1 which would result in a single tax rate for all five property classes.

Mr. Fairbanks moved that the Board vote to adopt a factor of 1 for all Tax Classifications. The motion was seconded and passed unanimously.

INTERFUND BORROWING – CHAPTER 90 PROJECTS

Treasurer/Collector Melody Gallant was on hand to request authorization to borrow \$29,872.88 for the unreimbursed balance on a state aid note that was previously issued for Chapter 90 projects. This amount covers four projects; South St. School Zone Sign (\$14,828.15), Construction Phase Services – South Street (\$6,723.89), Engineering Consultant Town Farm Road (\$7,150.84) and Pavement Management Study (\$1,170.00).

Mr. Fairbanks moved that the Board approve and sign the Advance of Funds in Lieu of Borrowing Report in the amount of \$29,872.88 for State Aid Anticipation Chapter 90 Interfund Borrowing. The motion was seconded and passed unanimously.

APPOINTMENT ~ PLANNING BOARD

Mr. Walker announced that due to work requirements Brett Pinkerton has resigned his position on the Planning Board.

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Mr. Fairbanks moved that the Board of Selectmen and Planning Board appoint Don Barry to the Planning Board; appointment effective until the next annual election in April, 2014. The motion was seconded and passed unanimously on a roll call vote from both Boards.

CONTRACT – HOME HEATING ASSISTANCE – FRATICELLI OIL

Mr. Walker explained that three quotes were received for delivery of oil for the Emergency Home Heating Assistance Program. The recommendation is that the Board award the contract to Fraticelli Oil with a quote of \$3.29 gallon.

Mr. Fairbanks moved that the Board approve and sign the contract with Fraticelli Oil for fuel delivery for the Home Heating Assistance Program. The motion was seconded and passed unanimously.

AMBULANCE ABATEMENT

Mr. Fairbanks moved that the Board approve the request from the Fire Chief to authorize the abatement of ambulance bill (#WM1376) in the amount of \$85.54. The motion was seconded and passed unanimously.

WESTMINSTER BUSINESS PARK BOND REDUCTION

Mr. Walker explained that WBP has requested that the Town release the remaining \$33,748 for the cash bond being held on Lot I-4 (Phase I). He further explained that Tetra Tech has inspected the lot and recommends releasing only \$13,288 and retaining \$20,460 to ensure the stabilization of the slope in the spring.

Mr. Fairbanks moved that the Board authorize the release of the cash bond in the amount of \$13,288 and retaining \$20,460. The motion was seconded and passed unanimously.

HISTORICAL COMMISSION ~ HISTORIC BUILDING SURVEY RESULTS

Historical Commission member Betsy Hannula presented the Board a copy of the survey of houses 70 years and older. She also presented the Board with a map indicating the location of these houses.

HISTORICAL COMMISSION ~ PLAQUES

Historical Commission member Bill Waight presented the Board with two plaques. One which holds a metal plaque was embedded in a tree at the old Town Hall and the other metal plaque which was located on Leominster Street.

HISTORICAL COMMISSION ~ CIVIL WAR STATUE RESTORATION PROJECT

Mr. Waight also solicited the Board’s support for the restoration of the monument located in front of the Congregational Church. He explained that the Commission estimated the cost for the

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restoration would be approximately \$10,000. The Commission would like to apply for a grant in the amount of \$5,000 through the Massachusetts Sesquicentennial Commission and would like to place an article on the annual town meeting warrant for the remaining \$5,000.

FIRE CHIEF SEARCH COMMITTEE

Mr. Fairbanks moved that the Board appoint the following individuals to the Fire Chief Search Committee:

- Stephen Hemman, Chairman
- Karen Murphy, Town Administrator
- Sam Albert, Police Chief
- Lorraine Emerson, DPW Commission
- Kevin Roy, Fitchburg Fire Chief
- Edward Stark, Holden Fire Chief - retired
- Phil D’Entremont, Full-time Firefighter
- Bruce Blessington, Call Firefighter
- Michael Gallant, Building Commissioner
- Jeffrey Boudreau, School Committee
- Donald Barry, Council on Aging
- Jeffrey Aveni, Citizen at large
- Peter Normandin, Citizen at large
- Burton Gendron, Citizen at large
- Peter Munro, Citizen at large
- Library – to be determined

The motion was seconded and passed unanimously.

FIRE CHIEF ADVERTISEMENT

The Board agreed to place advertising for seeking applicants for the Fire Chief position.

DISPATCHER CLASSIFICATION UPGRADES

Mr. Fairbanks moved that the Board approve the recommendations of the Advisory and Personnel Boards to reclassify the following positions effective January 1, 2014; Dispatcher Grade 4 to Grade 5, Dispatch Supervisor Grade 6 to Grade 8 and Dispatcher/Administrative Aide Grade 5. The motion was seconded and passed unanimously.

The Board requested that all departments submit their requests for reclassifications in the fall.

FILL PERMIT HEARING – LONGLEY, CARTER ROAD

Mr. Walker explained that Mr. Michael Longley has applied for a fill permit for work that has been performed for the construction of a driveway on the lot owned by him abutting 39 Carter Road. This application was submitted by order of the court, as a result of the Town filing a Complaint for Enforcement of the zoning bylaw (use of the property for a trucking business) and for violation of the fill bylaw.

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Mr. Walker explained that the Board had received the following comments from various Boards/Departments:

~Planning Board voted unanimously not to accept the Fill Permit application because the application and plan do not contain the materials or information specified in Section F found in the applicable Fill Regulations adopted by the Selectmen last year.

~ DPW commented that the owner needs to stabilize the drive apron. The DPW has a catch basin adjacent to the drive and it has a silt sack in it. They would like to remove this before winter so that the water drains faster. In addition they would like to see the owner put a 3 inch hot mix asphalt binder apron from the road to the property line which is the stonewall.

~ Conservation Commission commented that submission is lacking details as to where the driveway is and where it is going. Is the implication that the driveway might eventually continue down the slope to within the wetland or its 100-foot buffer zone? Con Com would request permission to visit the site to confirm the location of the driveway and its proximity to the wetlands with a more detailed plan in hand. Also, there is a photo labeled 106 W. Main Street – How does this relate to the Carter Road property?

Mr. Walker asked Mr. Longley to take the Fill Permit Regulations, review them and submit an application in compliance with these regulations.

The Board agreed that they cannot make a determination and therefore agreed to accept the withdrawal of the application as presented without prejudice.

The Board agreed that once a new application (which complies with the Fill Permit Regulations) has been submitted they will then reschedule a hearing.

RATIFY POLICE UNION AGREEMENT

Ms. Billings moved that the Board sign the proposed Memorandum of Agreement with the Police Union. The motion was seconded and passed unanimously.

BURT GENDRON – KENT ROAD SEWER DISCUSSION

Burt Gendron was on hand to express his concerns regarding what he refers to as a forced sewer line for Kent Road residents. He requested that the Board create an abatement program in lieu of townspeople seeking legal action.

Mr. Walker stated that his recollection was that no requirements were made of residents to tie in to the system.

Mr. Walker stated that he was not sure how much authority the Board of Selectmen has on the matter and would have to check with the DPW Commissioners and Town Counsel. In the

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meantime the Board thanked Mr. Gendron for his input and agreed that they had a considerable amount of research to do on the subject.

7:03 P.M. EXECUTIVE SESSION

Mr. Walker moved that the Board enter into executive session to discuss the reputation, character rather than professional competence of an individual; and that the Board adjourn directly from executive session. The motion was seconded and passed unanimously on a roll call vote.

ADJOURNMENT

The Board adjourned from executive session at 7:20 p.m.

Respectfully submitted,

John F. Fairbanks, Clerk
(Prepared by B. Kazan)