Board of Selectmen Meeting Minutes

Date: March 27, 2013

Members Present: Peter McMurray, Dan Meunier and Mike McCallum

Time: 7:09 p.m.

2) Motion to approve minutes of March 13, 2013 as recorded.

Motion: Dan Meunier Seconded: Peter McMurray Vote: Unan

3) Warrant # W37P approve and sign on Payroll Warrant in the amount of \$58,735.82 subject to further review.

Motion: Dan Meunier Seconded: Peter McMurray Vote: Unan

4) Warrant # W38B approve and sign on Vendor Warrant in the amount of \$78,977.57 subject to further review.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

Request for Selectmen's approval to deficit spend for Winter Operations (Town Accountant request.) Explanation was given by Town Administrator.

5) Motion to approve to deficit spend for winter operations.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

Request for the Board of Selectmen's Appointment of Peter Capone as Ashby's Representative on the Montachusett Regional Technical Vocational School Committee.

Thank you given to Peter by Board of Selectmen.

6) Motion for Selectmen's appointment of Peter Capone as Ashby's Representative on the Montachusett Regional Technical Vocational School Committee for a three year term.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

Selectmen discuss Special Election to fill vacancy effective April 29, 2013.

Peter McMurray explained this and offered his thanks to Dan for his service to the town and expressed his pleasure working with him. Town Administrator states he thinks it is too late to have this put on the ballot in May. Peter McMurray thinks we are able to do it on the June election. Town Administrator thinks we have to wait 100 days needed to get it on. Town Administrator will check with Town Clerk (has office hours tonight) on the earliest possible date this can be held. Town Clerk noted that June 25, 2013 is the minimum date for Special Election. Selectmen can call the June 25th date for the election.

Board of Selectmen Minutes March 27, 2013

7) Motion to call a Special Election on June 25, 2013 to fill the vacancy on the Board of Selectmen.

Motion: Dan Meunier Seconded: Peter McMurray Vote: Unan

8) Motion for Selectmen's Appointment of Mirick O'Connell as Special Labor Counsel.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

9) Motion to approve and sign on Annual Town Election Warrant (4).

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

10) Motion to approve and sign on Special State Primary Warrant (4).

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

11) Motion to open Cable License Hearing at 7:30 p.m.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

Tim Bauman spoke on wanting Comcast to supply security systems for Town Buildings.

Bill Hewig, Counsel for Town of Ashby, states they are still working on this with Comcast.

Citizen said there needs to be more monitoring options provided by Comcast as far as parental controls are concerned. He states you have to pay for more than 1 box in your home.

Complaint: Length of time for cable repairs to consumer.

Battery life needs to be looked at during power outages.

Complaint: Resident of Whitney Rd. states they are still not back to normal from ice storm. Still poor quality of reception.

Mike McCallum asked about possibility of getting complaint record from Comcast. Counsel suggested we could try.

Complaint: Dropped telephone calls.

Complaint: Unacceptable video.

Mike McCallum asked what can be done when cable doesn't follow-thru with complaints.

Counsel states there are no compliance penalties as of now. However, Selectmen can have this as a condition of the cable license.

Question: Are they required to respond within a certain amount of time to complaints?

Answer: They have 24 hours.

Very important to document all dates and times of complaints and telephone response time.

Suggestion to put complaint form on Ashby website for people to use for the Cable Committee with a survey page for communications with the Cable Committee.

Question: Is there an alternative company to use?

Answer: Companies are available but would be reluctant to come to town and use other cable wires.

Town Counsel states it is not possible to not renew license but it can be made so that they have to improve service.

Board of Selectmen Minutes March 27, 2013

Tom Sanford, Legion Rep. asked if it was possible to get cable at the Legion Hall as it is used by many different organizations in Town.

Answer: Yes but, Town would have to pay for wiring, but money could be taken from fees paid to Town from Comcast.

Mike: Could a non-binding resolution be added to warrant for Town Meeting?

Answer: TA stated we would be better off getting permission of the Moderator to allow a set amount of time for report on the topic from Cable Advisory Board Chairman rather than putting something on the warrant.

Suggestion that we set up a table at the Town Meeting for residents to get knowledge on cable and how to deal with complaints and issues.

Comcast will only respond to Compliance Issues that are brought up at meetings.

Peter McMurray states John Pankowsky will get survey up and running on town website. Selectmen and former Selectman Joe Casey commended John Pankosky on his work and efforts on the Cable Advisory Board and thanked him for all he has put into this.

12) Motion to close Cable License Hearing at 7:29 p.m.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

Selectmen Vote Warrant Articles on to Town Meeting Warrant:

Town Administrator cautioned BOS that this is a "Draft" of the Town Meeting Warrant and figures and wording may be changed but, subject of warrant articles will not.

Question from Peter McMurray regarding Warrant Article #7 for Police Lt. position shouldn't this be on the ATM? How will this work? TA explained it is on the STM so person can be paid immediately and not have to wait for July 1st.

Question from Peter McMurray regarding Warrant Article #8 for architectural services for Town Buildings – why don't we just put more money into the Municipal Buildings Repair line? Town Administrator said more money is in that line for FY14 but, prefers this portion be as a warrant article.

Question from Peter McMurray regarding Warrant Article #9 regarding new generator at Police Station. Why wasn't the Police Station tied into new generator just purchased for Town Hall and Ashby Elementary School? Town Administrator stated Doug Briggs had this project scope changed and generator was not tied in for the current police station at the time of the project.

13) Motion to place Articles 1 through 10 of the DRAFT STM warrant dated 3/27/13 on the Special Town Meeting Warrant. With the understanding that the wording and funds could change.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan

Question regarding Article 10 of the DRAFT ATM warrant dated 3/27/13 concerning budget figures. Town Administrator explained that this is just a place holder from the last Town Meeting. He has met with the

Board of Selectmen Minutes March 27, 2013

Finance Committee twice regarding the budget and there will be a joint meeting with the Finance Committee and Board of Selectmen on April 10th for further FY14 Budget Discussions.

Question regarding Article 16 for Library Furnace conversion to gas. Town Administrator explained that two warrant articles were submitted - one for conversion to gas and another for new furnace for \$26,000. Question was asked wasn't a new furnace put in with the Library project renovations? Furnaces should last 25 years why does this need replacing already? Town Administrator will contact John Mickola to determine the age of furnace they wish to replace for \$26,000. Once more information is obtained this warrant article will reflect the dollar amount either for just gas conversion or new gas furnace.

14) Motion to place Articles 1 through 27 of the DRAFT ATM warrant dated 3/27/13 on the Annual Town Meeting Warrant which may change as far as the final figures are concerned and pending further legal review.

Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan Any other business not reasonably anticipated by the Chairman: Assistant to the Board of Selectmen's Report: Read by Chairman Dan Meunier addressed the public regarding his time serving on the Finance Committee and BOS and thanked everyone for their help and guidance through the years. He will miss his position as Selectmen. He again was thanked by the other members of the board. Public Comments (if any): New Fire Truck has been delivered to the Town under a grant. \$200,000 plus truck only cost the Town \$10,600 with the assistance of a grant. 15) Motion to adjourn at 8:52 p.m. Motion: Dan Meunier Seconded: Mike McCallum Vote: Unan Signed by: ____ Dates Minutes Approved by Board of Selectmen: