

CHAPTER

EIGHT

COMMITTEES

Report of the Boards &
Committees of the Town

Athol-Orange Joint Cable Advisory Committee
584 Main Street 6 Prospect Street
Athol MA 01331 Orange MA 01364

May 18, 2015

RE: FY 2014 Annual Report

The Athol Orange Joint Cable Advisory Committee continued its directive of negotiating the Franchise Renewal License for cable services for the towns of Athol and Orange. The work of the committee was carried out by its members: Nancy Blackmer, Carolyn Salls, and Walt Owens of Orange and Dan Carey, Robert Schwein, and Mark Wright, Chair, of Athol. The committee conducted ascertainment through research, public hearing and surveys, using the data to formulate a draft license then negotiated with the current cable vendor to renew the license. The committee has been meeting monthly throughout the entire three year process with few exceptions. The final recommended license is scheduled to be delivered to the boards before the current license expires on June 19th, 2015.

The cable franchise license renewal process is long and requires a substantial commitment on the part of committee members. The final product represents hundreds of hours of research and meetings. State and Federal regulations guide the process and many timing deadlines must be made in order for the final outcome to be legal. Special Counsel was engaged to ensure that all requirements as well as the best interests of the communities were met.

Respectfully submitted,

Mark C. Wright, Chairman

CAPITAL PROGRAM COMMITTEE

To the Honorable Board of Selectmen & the Citizens of the Town Athol;

The Capital Program Commission saw a sharp drop in requests this year from \$2 million to just under \$500,000 from Town Departments. This was a result of the Town Manager's directive that there would be very little money to be spent on Capital Improvements for FY14. The Committee members were, as always, appreciative of the professionalism of the Department Heads to do their homework ahead of time and create a priority list that enables the CPC to spend the available funds wisely. The Capital Program Committee spent a total of \$296,000 on various projects including the repointing of the brick at the Athol Senior Center, repairs to the Town Hall roof and copula, and a replacement brush truck for the fire department.

The Charter for the Town of Athol states the Capital Program Committee shall study proposed capital outlays involving the acquisition of land or an expenditure of twenty-five thousand (\$25,000) or more having a useful life of at least three years. The Committee is further charged with studying the need, timing and cost projection of these projects and the effect each will have on the financial position of the Town.

The budget is typically funded from a combination of taxation, free cash and occasionally from unspent balances in prior year Capital Planning accounts. It is the committee's practice to meet with each department head to review the department's current status and future needs. After all of these assessments the Committee meets again to deliberate and form its annual budget for the upcoming fiscal year. The Capital Program Committee meets jointly with the Board of Selectmen and the Finance Warrant Advisory Committee each April to present its annual budget in preparation of the June Annual Town Meeting.

Lastly, the Capital Program Committee will meet to make recommendations on other projects as they relate to the overall infrastructure of the Town of Athol, for example the renovation to the Athol Public Library and the Town of Athol Five-Year Energy Use Reduction Plan. In March the Capital Program Committee met with the Energy Committee and voted to support a Green Communities grant application in the amount of \$171,000 which would fund one of two options: an energy management system to monitor and control energy use by municipal buildings and facilities or a variable refrigerant flow (VRF) system for heating, ventilation and air conditioning (HVAC) for the \$8.5 million renovation and expansion of the Athol Public Library.

Members serve five year terms and include representatives from both the Planning Board & the Finance & Warrant Advisory Committee. Current members are Chairman Robert Muzzy, Vice Chairman James Smith, Michael Butler, Dennis Killay, Linda Oldach, Planning Board representative John Lambert and FWAC representative Erik Euvrard.

Respectfully Submitted;

Robert Muzzy

Department	Item/Project	CPC Budget FY13	CPC General FY13	CPC Transfer
Assessing	Revaluation	44,322.40	18,510.34	25,812.06
	Subtotal	44,322.40	18,510.34	25,812.06
COA	Senior Center Furniture	50,000.00	50,000.00	
	Subtotal	50,000.00	50,000.00	
Town Hall	Electrical System Update analysis	4,000.00	4,000.00	
	Subtotal	4,000.00	4,000.00	
Fire - vehicles				
Fire - projects	Plymo-Vent, upgrade diesel exhaust system	45,000.00	45,000.00	
Fire - equipment	Accountability System	15,000.00	15,000.00	
	Subtotal	60,000.00	60,000.00	0.00
DPW - Vehicles	Leases, Repairs, Replacement	150,000.00	77,747.33	72,252.67
DPW - Buildings		0.00	0.00	
DPW - Projects	Non- Chapter 90	60,000.00	60,000.00	
	Grant Project match	50,000.00	50,000.00	
	Infrastructure	75,000.00	75,000.00	
	Dam Improvements	30,000.00	30,000.00	
	Bridge / Culvert Improvements	40,000.00	40,000.00	
	Cemeteries	9,942.09	9,942.09	
DPW-- Water	Improvements & Vehicle	25,000.00		25,000.00
DPW-- Sewer	Improvements & Vehicle	25,000.00		25,000.00
	Sub Total	464,942.09	342,689.42	122,252.67
Library		20,560.32	0.00	20,560.32
	Sub Total	20,560.32	0.00	20,560.32
Police - Vehicles	Cruiser	39,100.00		39,100.00
Police - Equipment				
Police - Project	Radio Tower relocation w/ AFD	25,000.00	18,000.00	7,000.00
	Sub Total	64,100.00	18,000.00	46,100.00
ARRSD				
Buildings	Pleasant St. School boiler	35,000.00	35,000.00	
Equipment				
	Sub Total	35,000.00	35,000.00	
CIP Reserve				
	Total CPC Budget	742,924.81	528,199.76	214,725.05

**CHARTER REVIEW COMMITTEE
ANNUAL REPORT
FY14**

To the Honorable Board of Selectmen:

The Charter Review Committee is appointed annually by the Board of Selectmen. The Committee is made up of the following: The Moderator, Town Clerk, a member of the Board of Selectmen, a member of the Charter Commission and 4 citizens.

The Charter Review Committee review's the Town of Athol's Charter and makes recommended changes to the Board of Selectmen and to the voters in accordance with M.G.L. Chapter 43B.

In April 2014, the Charter Review Committee submitted the following proposed charter amendments to the Town Clerk for the Fall Town Meeting. A Public Hearing was held by the Board of Selectmen on June 4, 2014 on the proposed amendments.

Amendment #1

Current Charter Language

5-1-1 The Board of Selectmen, by an affirmative vote of at least four members shall appoint a Town Manager for an indefinite term to serve at its pleasure.

Proposed Charter Amendment

5-1-2 The Board of Selectmen, by an affirmative vote of at least **three** members shall appoint a Town Manager for an indefinite term to serve at its pleasure.

Amendment #2

Current Charter Language

5-2-2 In selecting a Town Manager, the Board of Selectmen shall conduct a search for candidates, including an advertisement in a then current publication serving the municipal management profession. The Town Manager need not be a resident of the Town when appointed, but he shall take up full-time residence within eight months following his appointment. He shall not have held an elective Office of the Town of Athol within two years immediately prior to his appointment.

Proposed Charter Amendment

5-2-2 In selecting a Town Manager, the Board of Selectmen shall conduct a search for candidates, including an advertisement in a then current publication serving the municipal management profession. ~~The Town Manager need not be a resident of the Town when appointed, but he shall take up full-time residence within eight months following his appointment.~~ He shall not have held an elective Office of the Town of Athol within two years immediately prior to his appointment.

Amendment #3

Add new section

5-2-3 The Town Manager need not be a resident of the Town when appointed, but he shall take up full-time residence within one (1) year following his appointment. Legal residence or domicile shall be his true home or principal residence and shall be the center of their domestic, economic, social and civic life. The Town Manager shall not choose to make his home one place for the general purposes of domestic, economic, social, and civic life as defined above and in another for employment.

Amendment #4

Current Charter Language

5-4-1 During the first six months of his appointment, the Board of Selectmen may remove the Town Manager by an affirmative vote of at least four members.

Proposed Charter Amendment

5-4-1 During the first six months of his appointment, the Board of Selectmen may remove the Town Manager by an affirmative vote of at least **three** members.

Amendment #5

Current Charter Language

5-4-7 Final removal of any Town Manager recruited under this Charter shall be affected by the affirmative vote of at least four members of the Board of Selectmen at a public Meeting of the Board held within seven days of such public hearing, if he has so requested one. If he has not requested a hearing, final removal may be affected by at least four affirmative votes of the Board held not earlier than fourteen days after the vote initiating the removal. The salary of the Town Manager shall continue to be paid as provided by an employment contract, if any, between the Board and the Town Manager, or in the absence of such a contract, as the Board of Selectmen shall determine, provided however that in no instance shall the amount paid after the Manager's removal from Office exceed the equivalent of one month's salary for each year served up to a maximum of six months.

Proposed Charter Amendment

5-4-7 Final removal of any Town Manager recruited under this Charter shall be affected by the affirmative vote of at least **three** members of the Board of Selectmen at a public Meeting of the Board held within seven days of such public hearing, if he has so requested one. If he has not requested a hearing, final removal may be affected by at least **three** affirmative votes of the Board held not earlier than fourteen days after the vote initiating the removal. The salary of the Town Manager shall continue to be paid as provided by an employment contract, if any, between the Board and the Town Manager, or in the absence of such a contract, as the Board of Selectmen shall determine, provided however that in no instance shall the amount paid after the Manager's removal from Office exceed the

equivalent of one month's salary for each year served up to a maximum of six months.

Respectfully submitted,

Keith Williams, Chairman

Heather Brissette

Nancy Burnham

Lee Chauvette

Ben Feldman

Susannah Lee

Lawrence McLaughlin

Elizabeth Peterson

**MEMORIAL BUILDING COMMITTEE
FY14**

Town Bylaws Chapter IV, Section 1(b) states “The town hall building, dedicated as a memorial to Athol's soldiers and sailors of all wars, shall be known as Memorial Building. The Memorial Building Committee is responsible for the care, custody, and control of the entire Memorial Building Committee. The Committee shall consist of three Selectmen and four voters appointed by the Town Manager. This Committee with the aide of the Town Manager shall employ necessary janitors and caretakers, and attend to the lighting, heating, care and repair of the building, and make reasonable rules and regulations not inconsistent with these bylaws for the use and occupancy of said building.”

In May 2014, MIIA Risk Control Manager Bob Marinelli assessed two areas of hazardous conditions at the Town Hall. The areas identified were the staircase on the west side of the building and the roof/steeple. In his report, he states that “Significant deterioration of the building resulted in breaking off and falling of large pieces of debris (concrete). Such conditions pose an immediate threat to the safety of pedestrians that could results in serious injury or death”.

The Committee recommended using jersey barriers to block the side entrance and use caution tape to prevent access into the building. This will also result in the driveway between the town hall and library to be closed. The Committee also voted to seek funding for engineering and/or repair of the steeple and staircase

Respectfully submitted,

Ben J. Feldman, Chairman
Anthony Brighenti
Nancy E. Burnham
Lee E. Chauvette
Paul Dubey
John R. Greene

Memorial Hall Revitalization Fund Committee

To the Honorable Board of Selectmen & Residents of Athol:

In FY14, the Memorial Hall Revitalization Fund Committee continued fundraising through the open mic series and donations, as we continued to work toward our goal of completing acoustic treatment in 2017. A new acoustic test was done and paid for by an anonymous donor, which showed a tremendous reduction in the problematic reverb first measured in the initial acoustic test in 2005.

Fundraising continues as we near the completion of the acoustic phase of the project. Once the acoustic phase of the revitalization is complete, the committee will focus on raising funds for the project's other phases including sound and lighting system upgrades and equipment for ADA compliance. Members of the committee continue to be enthusiastic about the progress so far and are proud to contribute to the community they love.

Sincerely,

Ethan Stone

PLANNING BOARD
ANNUAL REPORT
July 1, 2013 to June 30, 2014

The Planning Board meets on the First (1st) Monday of every Month unless a holiday or election comes into play then we meet on the second (2nd) Monday of the Month.

Over the past year we had held 4 (four) public hearings, two (2) on zoning bylaw changes, one(1) for a flag lot for Johnny & Pennie Mallet of 1120 New Sherborn Road Athol, Mass and the other Public Hearing was for Low Impact Development to be included in our Subdivision Rules and Regulations.

We had 4 ANRS (Approval not required) come before the board and (1) one was for the Athol Public Library for 12,800 sq. feet of land on the easterly side of Island St. to be conveyed to the Town of Athol from the L. S. Starrett Co.

Over the course of our meetings we had a presentation for the New Elementary School to be built in the Town of Athol and also several discussions on the vegetation planting at the Adams Farm/Soltas Energy located on Bearsden Road in Athol Mass.

Our Planning Board members are: Calvin Taylor, Chairman
Lynn Harper, Chair
John Lambert
David Maroni
Ann Taylor

To the Honorable Board of Selectmen & the Citizens of the Town of Athol

Vacant and Abandoned Properties Committees Report

The VABC has been behind the demolition of eight properties, four of which the town demolished through town meeting generated funds; the other four were removed by the property owners after receipt of demand letters from the town. The VABC has enough funds to potentially demolish one more building and after that will have to seek more funding at town meeting to demolish a few others that are concerns.

There are 143 properties currently registered as vacant, bringing in \$16,775.00 in revenue for the town, making us aware of properties that we may not otherwise know about, and providing owner/contact information for many bank owned properties. The VABC has a list of vacant properties which is periodically updated, and is continuously identifying properties that are vacant and /or abandoned, which is a very time consuming task.

We have purchased a tablet with the help of retired Chief Lozier through Emergency Management that we use to maintain an active database of all vacant properties and known hazards that is linked to the dispatch computer at the Fire Station. This helps the Fire Department to have knowledge of building conditions as soon as a call comes in. It is technology that was created by MRPC at no charge to the town of Athol. It is the first of its kind in the area, and provides knowledge that has the potential to save firefighters lives.

The VABC receives complaints periodically of open doors and windows in some of these buildings and upon investigation, many times has determined that malicious activity has taken place. We have worked with the Police Department on many cases of copper theft and vandalism, and have had squatters removed from unsafe buildings. The committee secures any building that is determined to be open.

The Town of Athol also received a HomeCorps Municipal and Community Restoration Grant from the MA Attorney General's Office. This initiative was developed to help mitigate the impact of the foreclosure crisis and combat its negative impact on neighborhoods. This grant funding was a result of a nationwide settlement involving the nation's five largest mortgage servicers and their connection with unlawful foreclosures and loan servicing. The VABC and the Board of Health worked hand in hand with Attorney Kiernan Reid of the AGO on twenty three properties, through receivership. Through this program a number of properties have had Sanitary Code violations abated, and the properties have either been auctioned, or are in process of repair and auction.

The VABC meets twice a month to discuss issues related to vacant and abandoned buildings and to set goals and objectives. The members of the VABC are committed to do their very best for the citizens of Athol and to make it a much safer and more attractive place to live.

Sincerely,

Brianna Skowrya, Chairman

Zoning Bylaw Review Committee

To the Honorable Board of Selectmen;

During the June, 2014 town meeting, The Zoning Bylaw Review Committee (ZBRC) presented a proposal for a zoning bylaw for the siting of Registered Marijuana Dispensaries within the town. The proposed bylaw was passed by the townspeople in attendance during that meeting.

During the October, 2014 town meeting, the ZBRC submitted to the town warrant, two warrant articles. The first was a proposal to change the definition of "Kennel" to the definition for "Kennel" as defined by MGL Ch. 140, Sec. 136A. The definition for "Kennel" had recently been changed by the Massachusetts Legislature and this warrant article updated the town's definition to match the definition in MGL. The warrant article was overwhelmingly passed at the town meeting.

The second warrant article submitted to the town warrant by the ZBRC was a proposal to change the "Animal Kennel or Hospital" use in the Use Regulation Schedule by adding a footnote that referenced Massachusetts General Laws, Chapter 140, Section 136A. In addition to changing the definition for Kennel, the Massachusetts Legislature created definitions for "Commercial boarding or training kennel", "Commercial breeder kennel", "Domestic charitable corporation kennel", "Personal kennel", "Shelter", and "Veterinary kennel". The footnote incorporated these definitions into the town's zoning bylaws. However, this warrant article was not included on the town warrant due to a clerical error by the Town Manager's office.

The ZBRC also assisted the town's Office of Planning and Development to draft the Adaptive Reuse Overlay District zoning bylaw. This bylaw defined the criteria for the reuse of public schools and municipal buildings located in the Residential A, Residential B and Residential C zoning districts. This bylaw was presented and passed at the October, 2014 Town Meeting.

Sincerely,

Richard D. Godin

Current Committee Members:

Richard D. Godin, Chairman

Bill Aucoin, Vice-Chairman

Pam Brown, Secretary