Present: John F. Fairbanks, Laila J. Michaud, Joseph E. Flanagan

CALL TO ORDER

Mr. Fairbanks called the meeting to order at 7:00 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; he also confirmed with those present that no other party was taking an audio or video recording of the meeting.

APPROVAL OF WARRANTS/MINUTES

Ms. Michaud moved that the Board approve the regular session minutes of December 13, 2010 as printed. Mr. Flanagan seconded the motion. The motion passed unanimously.

Board members reviewed and approved the following warrants:

December 20, 2010	Accounts Payable #36	\$224,239.23
	Payroll #37	\$159,002.17
December 21, 2010	Accounts Payable #38	\$ 3,016.30
December 22, 2010	Deductions #37D	\$141,345.30
December 27, 2010	Accounts Payable #39	\$882,848.89
January 3, 2011	Accounts Payable #40	\$113,510.55
•	Payroll #41	\$171,005.50

RESIGNATION

Mr. Fairbanks announced the resignation of Town Planner Domenica Tatasciore.

PUBLIC COMMENT

Don Barry expressed his concerns regarding the Town Planner position and various other issues.

BORROWING

Treasurer/Collector Melody Gallant was on hand to request the approval of the Board to renew a Bond Anticipation Note (BAN) for library renovations.

Ms. Michaud moved that the Board approve a Bond Anticipation Note with UniBank for Savings with an interest rate of 1.05% in the amount of \$357,000. Mr. Flanagan seconded the motion. The motion passed unanimously.

AGRICULTURAL COMMISSION ALTERNATE APPOINTMENT

Ms. Michaud moved that the Board appoint Susan Nickerson as an alternate to the Agricultural Commission. Mr. Flanagan seconded the motion. The motion passed unanimously.

CROCKER POND RECREATION AREA COMMITTEE

Mr. Fairbanks moved that the Board approve the Crocker Pond duties and responsibilities as follows:

The Crocker Pond Recreation Area Committee [hereafter called the committee] is the committee that operates, maintains, and keeps in repair the Crocker Pond Recreation Area on behalf of the town of Westminster under the overview of the Board of Selectmen [here after called the BOS]. The committee is charged by the BOS with the authority to make timely decisions on matters related to the operation, maintenance, repair, and usage of the Crocker Pond Recreation Facility.

The geographic responsibility of the committee is "Crocker Pond Recreation Area" and includes all of the acreage, easements, deed restrictions, etc. described in the deeds recorded in North Worcester County Registry Book 5719, Page 283 & Page 292 as well as any other legal rights or responsibilities that may exist.

The members are appointed for three years on a rotating basis. Approximately one third of the committee is appointed each year for three years. The committee chooses from among the members a chair, vice chair and a secretary.

The chairperson is responsible for the meeting agendas and for keeping within the open meeting regulations of the State of Massachusetts. The secretary is responsible for keeping the meeting minutes and committee files.

Each year the committee shall create an operating and capital budget for submission to the Board of Selectmen.

The committee is responsible for all aspects of the approved budgets.

As part of the annual budget process, the committee shall make annual recommendations on supplemental budgets for signage, etc. to deter known trespass or unauthorized use of Crocker Pond Recreation Area.

The committee shall review the rules and regulations at least one time per year before the season opens and shall report to the BOS on the committee recommendations no later than six weeks before the season opens.

Rules & regulations may vary based on the location and use of the areas regulated. In order to accomplish this, the committee will begin meeting twice monthly on the first Tuesday in April.

If necessary, the committee may present rule change recommendations to the BOS at any point during the year but may not enter into rule change agreements that are not approved by the BOS.

Crocker Pond was purchased for use by town residents and their guests for family friendly recreational purposes and all uses, rules, and regulations shall reflect this original intent.

The committee shall be open to all possible uses of the recreation area and shall accommodate special use requests as best as possible. In any event or for any request the committee must consider safety, environmental, and liability issues. Special uses cannot conflict with or hinder standard residents' usage.

The committee will be mindful of the natural resources and beauty of the entire facility and the environmental protection of the property when considering special use requests and when developing new uses for the property.

For all uses proposed by residents, even prohibited uses, the committee shall exercise due diligence in analyzing the reasonableness of the requests. Approved minutes showing the committee's decisions on these requests shall be delivered within six weeks to the BOS if possible.

When the committee finds a need to render interpretations (e.g., what is required of "due diligence") or definitions (e.g., "reasonable") approved minutes showing the committee's interpretations or definitions shall be delivered within six weeks to the BOS if possible.

Should the committee require a final determination on any issue that becomes burdensome the BOS shall render the determination.

Due diligence and reasonableness will be exercised in enforcing the rules & regulations. Should issues arise that may require immediate action against either a non-resident, resident-user, or any other person, the responsible person on site shall make a determination as to how to proceed and whether to involve the police and / or fire departments.

The BOS and the committee chair shall be contacted by the responsible on site person as fast as is possible but not necessarily before, involving the police and / or the fire departments. A responsible person on site could be a Crocker Pond committee member, a Crocker Pond volunteer on duty, or a Crocker Pond worker on duty.

The committee [or a person or persons appointed by the committee] shall supervise the paid workers and volunteers and shall direct their efforts. The person or persons who is / are considered to be supervisor(s) does not have to be present at all times while volunteers or paid workers are on duty.

Time cards and other approvals shall be signed by the committee chair or vice chair person or by any other person appointed by the committee.

It is understood that a selectman will be appointed by the BOS as a contact for the committee and this person should be consulted on matters that are of concern to the committee outside of the regular BOS meetings.

Mr. Flanagan seconded the motion. The motion passed unanimously.

It was also agreed by both Boards to review the duties and responsibilities and rules every March.

TOWN PLANNER

The Board agreed to the following:

- •Advertise for a full time Town Planner
- •Mrs. Murphy will provide a job description for the Board of Selectmen to review.
- •The BOS agreed to have a five member search committee comprised of a Planning Board representative, Town Administrator, Town Employee and two Citizens at Large.

7:50 P.M. EXECUTIVE SESSION

Mr. Fairbanks moved that the Board enter into executive session to discuss strategy with respect to collective bargaining; further, that the Chair declare that an open meeting may have a detrimental effect on the bargaining position of the Town, and to adjourn directly from executive session. Mr. Flanagan seconded the motion. The motion passed unanimously on a roll call vote.

ADJOURNMENT

The Board adjourned from executive session at 8:15 p.m.

Respectfully submitted,

Joseph E. Flanagan, Clerk (Prepared by B. Kazan)