

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 MAY -1 AM 11:36

Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Tuesday May 5, 2015
Open Session Meeting Agenda

7:00 PM

Call to Order

Call to Order of the Ayer Board of Selectmen; Review and Approve Agenda

Chair of Honor Presentation

Mr. Mike Detillion, Veteran's Service Officer

Recognition of Eagle Scout

Keith Kidder

Announcements

Mr. Barry Schwarzel, Historical Commission Freedom's Way Hidden Treasures

Letter Carriers Food Drive May 9, 2015

Annual Town Meeting May 11, 2015 7:00 PM

Ayer Town Hall

JBOS Super Town Meeting June 8, 2015 7:00 PM

Ayer Town Hall

7:15 PM*

Public Input

7:20 PM

Mr. David Maher, Office of Community and Economic Development

1. OpenAyer Spring Fest One Day Licenses

7:30 PM

Mr. Thatcher W. Kezer, III Senior Vice President, MassDevelopment

7:45 PM

Superintendent Mark Wetzel, Department of Public Works

1. Street Light Purchase and LED Upgrade

2. Shirley Street Bridge Inspection Update

8:00 PM

Town Administrator's Report

1. Administrative Update

2. Appointment of Municipal Hearing Officer

3. Chapter 61A (Nashua and Pleasant Streets)

4. FMLA Policy/Sick Leave Policy

5. Building Department Staffing

8:15 PM

New Business/Selectmen's Questions

8:20 PM

Approval of the Minutes

April 21, 2015

8:25 PM

Reorganization of the Board of Selectmen

8:30 PM

Adjournment

*Note:

Agenda Times are for planning purposes only and do not necessarily constitute exact times.



***We appreciate your dedication
to our mission.***

***God Bless You.
God Bless America.***



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husseyseating™

YOUR PARTNER FOR SEATING SOLUTIONS

Program Mission

The Rolling Thunder® Inc. POW/MIA Chair of Honor Program is intended to support our main mission by bringing daily reminders of the POW/MIA issues to cities and towns big and small across the nation. A POW/MIA chair in any location is to remain perpetually empty to help people remember that even though our soldiers are not here, there is still a space for them. They can be used in two ways:

In Public Spaces

- Professional sports stadiums and arenas
- Collegiate/university athletic venues
- Local school athletic venues
- Civic gathering places, ie: auditoriums, amphitheaters, plazas & memorials
- Town & city halls
- Restaurants & local businesses

For Rolling Thunder®, Inc. Chapter Activities

- VA Hospital & VA Home visits
- Rides and fundraisers
- Events of local veteran

POW/MIA Chair of Honor Display Guidelines

Rolling Thunder®, Inc. POW/MIA Chair of Honor displays are as unique as each location they are in. There are not a tremendous amount of guidelines, but if you have a questions, please e-mail Joe Dentremont of Rolling Thunder®, Inc. MA. Chapter 1 at joe.dentremont@rollingthunderma1.org.

For Displays in Public Spaces

- Seat must be cordoned off to prevent use
- Fixed seats must be accompanied by a memorial plaque positioned in front of or behind the chair for maximum visibility
- If flags are included in the display, as you are reading the memorial plaque or text on the portable chair, the American flag shall be to the viewer's left and the POW/MIA flag to the viewer's right
- Every Rolling Thunder, Inc. POW/MIA Chair of Honor shall receive a dedication ceremony, to occur on or before its first public appearance

For Rolling Thunder®, Inc. Chapter Activities

- Seat must be cordoned off to prevent use
- If flags are included in the display, as you are reading the memorial plaque or text on the portable chair, the American flag shall be to the viewer's left and the POW/MIA flag to the viewer's right

Chair Options

Rolling Thunder®, Inc. POW/MIA chairs presented by Hussey Seating Company are available in Fixed and Portable models as shown below. Chairs have lead-times from order to delivery, which run 4 – 6 weeks depending on product demand. The chairs can be purchased directly or Hussey Seating will donate the chair if you commit to a collaboration with Hussey Seating regarding local Public Relation program to generate PR BUZZ around the POW/MIA Mission. For more information and the necessary forms, email a request to pow-mia@husseyseating.com.

Purchase Price Options:

- Fixed Chair: \$200 plus \$200 S&H
- Portable Chair: \$100 plus \$35 S&H
- Freight Option: Customer Pick-Up Available upon Request

How To Order:

Go to www.husseyseating.com/pow-mia-chair-of-honor



Fixed Fusion Chair



Clarin Portable Chair

Fixed Fusion Chair

- Fixed Fusion suitable for internal or exterior use, permanent installation
- POW MIA Logo applied to Fusion back
- Fusion Seat stays open displaying seat in used position
- Shown with optional infill panels for logo applications by others

Accessories by others for displaying your POW/MIA Chair

- Flags | www.anyflag.com or www.emblem.legion.org
- Flowers | www.flowers-by-design.com
- Stanchions & Ropes | www.outwaterplastics.com or www.bobstrophy.com
- Memorial Plaques | www.plaquemaker.com/plaques or www.bobstrophy.com

Portable Clarin

- Clarin Portable suitable for internal or exterior use, chair cannot be permanent positioned in the elements
- POW MIA Logo applied to Clarin back
- Portable chair features the Rolling Thunder message on the seat as shown (Provides customization option)



BOY SCOUTS OF AMERICA
TROOP 3 - AYER
1 West Main St.
Ayer, MA 01432

RECEIVED

APR 14 2015

TOWN OF AYER
SELECTMEN'S OFFICE

April 13, 2015

Board of Selectmen
Town of Ayer
P.O. Box 308
Ayer, MA 01432

RE: Eagle Scout - Court of Honor

Dear Sir or Madam:

On May 8, 2015 Keith Kidder of Boy Scout Troop #3 Ayer will be honored on his advancement to the rank of Eagle Scout. Keith's project was the cleaning up, replanting and marking of trails and plants with braille signs the nature area of Page Hilltop School

As you know, fewer than 2 percent of all boys in the scouting program achieve this rank. We are very proud of Keith's accomplishment.

Knowing of your concern for the youth of our town, it would be greatly appreciated if you could acknowledge his accomplishment with a personal message and recognize his achievement officially.

Thank you very much for your consideration to this matter.

Yours Sincerely,

Karen Januskiewicz, Troop Committee Chair

Town of Ayer

Office of Community & Economic Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8206 ♦ Fax: 978-772-8208



OpenAyer Spring Fest Comes to Downtown

If you've traveled through downtown Ayer in the past few months, especially in the early evening, you've probably noticed the increase in Main Street traffic and limited parking. Much of that activity has to do with the resurgence of the restaurant and entertainment business in Downtown Ayer with the likes of Lucia's Tavola, Markohs on Main, Carlin's and Billiards Cafe.

Recently the respective owners of these establishments: Mark diCicco, David Berry and Calvin Moore had an idea in October 2014 that "if we are all doing well on our own how much better could we do collectively" and a plan of bringing back seasonal theme weekends was conceived. After the success of the Open Ayer Harvest Fest held this past October 2014, they have joined forces again for a similar event. They have also decided to include all local businesses willing and wanting to participate to expand and enhance the experience.

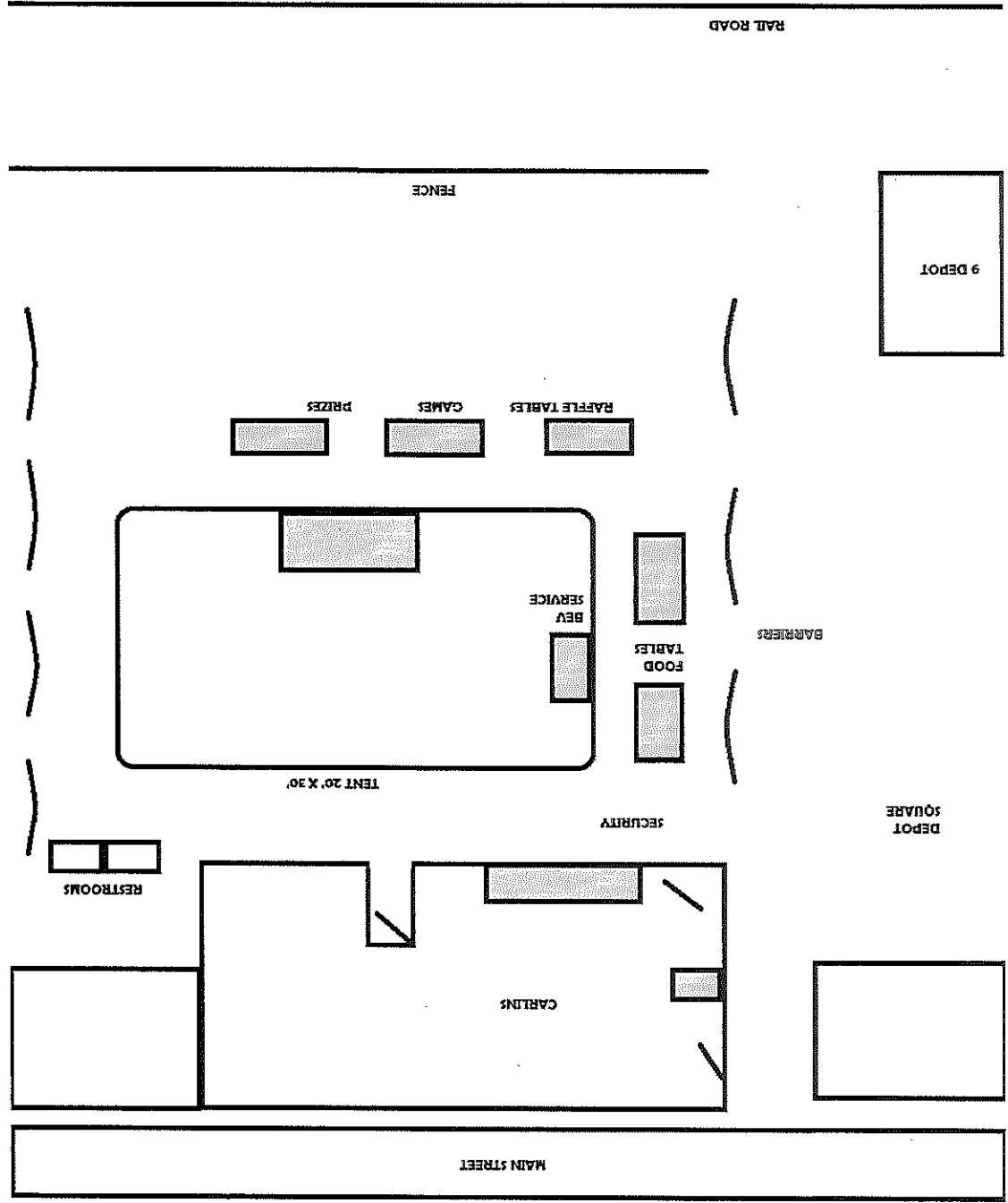
OpenAyer Spring Fest slated for Friday May 15th, Saturday May 16th, and Sunday May 17th 2015 will be a weekend festival that will feature outside dining and entertainment around the Page-Moore block and throughout Depot Square area. Family day activities are also planned for Saturday May 16th between 2 pm and 5 pm featuring the popular horse drawn hayrides, a bounce house, and other family-oriented activities and exhibits. Lucia's, Markohs and Carlin's will also be supporting Ayer's local food bank, Loaves and Fishes, by asking their patrons to donate monetary amounts of their choice to benefit the organization.

Realizing that there could be important safety and traffic concerns, they solicited the help and support of Police Chief William Murray and the Town's Economic Development Director, David Maher, to help the group deal with municipal items that included food and beverage license details, crowd control and safety, and parking as well as entertainment and sound ordinances. Together this group received the necessary approvals and support of the Ayer Board of Selectmen which made the event a "go".

OpenAyer Spring Fest will happen in Downtown Ayer on Friday May 17th from 5 pm till 12 am, Saturday May 16th from 2pm till 12 am, and Sunday May 17th from 11 am till 8 pm.

For more details check out the OpenAyer Facebook Page or call 978-391-4838.

OPEN AREA
SPRING FEST
MAY 15, 16 & 17th



Carly Antonellis

From: Mark Wetzel <mwetzel@ayer.ma.us>
Sent: Wednesday, April 29, 2015 3:36 PM
To: Carly Antonellis; Chief William Murray; Chief Pedrazzi; David Maher
Cc: Robert Pontbriand; Carly Antonellis
Subject: RE: OpenAyer Spring Fest

Not from the DPW. We are planning to paint the Main St crosswalks prior to the event.

Mark L Wetzel, P.E.
Superintendent
Town of Ayer - Public Works Department
25 Brook Street
Ayer, Massachusetts 01432
t: 978.772.8240
c: 978.833-2365
f: 978.772.8244
e: mwetzel@ayer.ma.us

♻ Please consider the environment before printing this email.

From: Carly Antonellis [<mailto:cantonellis@ayer.ma.us>]
Sent: Wednesday, April 29, 2015 3:08 PM
To: Chief William Murray; Chief Pedrazzi; David Maher; Mark Wetzel
Cc: Robert Pontbriand; Carly Antonellis
Subject: RE: OpenAyer Spring Fest

Good Afternoon –

Just following up on this email that I sent last week... Does anyone have any questions, comments or concerns with the proposal?

Carly

Carly M. Antonellis
Assistant to the Town Administrator
Town of Ayer
1 Main Street
Ayer, MA 01432
978-772-8220
cantonellis@ayer.ma.us

From: Carly Antonellis
Sent: Tuesday, April 21, 2015 5:51 PM
To: Chief William Murray; Chief Pedrazzi; David Maher; 'Mark Wetzel'
Cc: 'Robert Pontbriand'; 'Carly Antonellis'
Subject: OpenAyer Spring Fest

Good Evening Gentlemen -

Carly Antonellis

From: Chief Pedrazzi <firechief@ayer.ma.us>
Sent: Thursday, April 30, 2015 7:11 AM
To: Mark Wetzel; Carly Antonellis; Chief William Murray; David Maher
Cc: Robert Pontbriand; Carly Antonellis
Subject: RE: OpenAyer Spring Fest

Fire Department has no issues.

Chief

Chief Robert Pedrazzi
Ayer Fire Department
1 West Main Street
Ayer, MA 01432
(978) 772-8231



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From: Mark Wetzel [<mailto:mwetzel@ayer.ma.us>]
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Subject: RE: OpenAyer Spring Fest

Good Afternoon --

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Pamela J. Martin, Business Manager

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

Technical Memorandum

Date: April 15, 2015

To: Energy Committee

From: Mark Wetzel P.E., Public Works Superintendent

Re: NGrid Streetlight Purchase and LED Retrofit

The Town of Ayer is interested in evaluating the potential energy and cost savings associated with purchasing the Town streetlights and converting them to LED fixtures. This Technical Memorandum will present the process, issues, costs and potential savings related to this undertaking.

Overview

In order to save energy and electricity costs by retrofitting streetlights with LEDs, Ayer must own the streetlights. M.G.L. Chapter 164 Section 34A allows municipalities to purchase streetlights from the utility. Metropolitan Area Planning Commission (MAPC) estimates that a municipality that purchases the street lights and completes an LED retrofit can see savings up to 70-80%. It is estimated that 30-60% of street lighting costs can be saved just by purchasing streetlights from the utility.

Process to Purchase Streetlights

1. **Request preliminary cost estimate from NGrid** - This is not a formal notification of intent to purchase, but simply a request for an estimate. The purchase price for streetlights is calculated based on the system's net book value, which is depreciated value of the streetlights minus any salvage value the utility can obtain.
2. **Calculate the economics of the project** - Based on the estimate provided by NGrid, determine the cost savings, payback and costs to upgrade and maintain the streetlight system. This evaluation should be conservative and there are unknowns related to costs of LED lights, NGrid costs, final maintenance costs and grant availability.
3. **Notify NGrid of decision to purchase.** When Ayer determines that it wants to buy streetlights, this triggers a 60-day window in which the utility must submit a definite purchase price and inventory. The purchase price is set on the date of notice.
4. **Review purchase price and inventory provided by the NGrid.** The price sheet will include price by fixture and pole type, wattages, and quantities, and it will differentiate between overhead and underground lights. To ensure accuracy, compare the utility inventory with an inventory completed by the Town. There are two main types of audits:

- a. Basic wattage check – This is a walk-by audit to check if poles and fixtures exist, count, and confirm their wattage. In general, a 25% audit should be sufficient to determine whether there are any major issues with the inventory provided by the NGrid.
5. **GIS survey** – The most accurate inventory is a submeter-level GIS survey. It is also the most labor-intensive and expensive. If lights are discovered that were not included in the inventory, NGrid can bill the municipality for unpaid back charges. On the other hand, if it is discovered that NGrid is billing the Town for lights that don't exist, we are entitled to ask for a refund.
6. **Determine financing options-** There are a number of options related to the purchase of the streetlights and financing the LED upgrade. These include Green Community grants, lease-purchase, MassSave rebates, UDAG and general fund financing.
7. **Procure a maintenance contract** - After Ayer purchases the streetlights, maintenance is the Town's responsibility. Most towns competitively bid out maintenance services to an outside contractor, although a few have chosen to do the work in-house. According to M.G.L. Chapter 141 Section 7, streetlight replacement does not require the supervision of a licensed contractor; only a bucket truck license is needed. The cost of maintenance typically runs \$0.50 (LED) to \$1.50 (HPS) per fixture per month.

Existing Conditions

Based on the June, 2013 inventory provided by NGrid, there are 511 streetlights in Ayer, ranging in size from 50 watts to 400 watts. The fixtures consist of high pressure sodium lamps or mercury vapor lamps. There are no LED lights in the system. A summary of the inventory is shown in Table 1. In addition to the NGrid lights, the Town owns and maintains approximately 52 metered decorative street lamps on Main Street and West Main Street. These lamps were upgraded to LED fixtures in 2012.

Summary for Town of Ayer Lighting Inventory as of June 28, 2013

Count of Bill Print and Tariff Description			Component Type	
Customer Name	Account No	Bill Print and Tariff Description	Luminaire	Pole
TOWN OF AYER	28065-42005	LUM HPS FLD 250W POLE - WOOD	2	1
TOWN OF AYER Total			2	1
TOWN OF AYER DPW	65431-97008	LUM MV FLD 400W POLE - WOOD	3	3
TOWN OF AYER DPW Total			3	3
TOWN OF AYER PARKS	28054-57007	LUM HPS FLD 250W	1	
TOWN OF AYER PARKS Total			1	
TOWN OF AYER-LIGHTING	90360-89003	LUM HPS FLD 250W LUM HPS FLD 400W LUM HPS RWY 100W LUM HPS RWY 150W LUM HPS RWY 250W LUM HPS RWY 400W LUM HPS RWY 50W LUM HPS RWY 70W LUM INC RWY 105W LUM MV RWY 100W LUM MV RWY 250W POLE METAL =>25FT	3 1 11 10 27 1 446 3 1 5 3	4
TOWN OF AYER-LIGHTING Total			511	4

Bill Print and Tariff Description Key
FLD = Flood light or Area light
HPS = High Pressure Sodium
INC = Incandescent
LUM = Luminaire (the light fixture)
METAL = Brushed Aluminum Standard
MV = Mercury Vapor
RWY = Roadway, or Street light

The Town Streetlight budget for FY2015 is \$76,400. The Town has several streetlight accounts included in the budget (Parks, DPW, Main Street, West Main Street, and the NGrid streetlights), which is managed by the DPW. The budget also includes \$5,400 for maintenance of the town owned streetlights. This analysis will use only the costs associated with the NGrid Streetlights (account 90360-89003).

The Town has a net metering agreement with Washington Gas and Electric (WGE) to purchase net metering credits from a solar farm. Approximately 14% percent of the total credits go towards the streetlights. In FY14, the net metering credits totaled \$15,600 for the streetlight account. The cost savings from the net metering credits have not been included in the cost analysis as these credits will continue to be applied to the streetlight electricity bill, regardless of the ownership and charges.

LED Conversion

The advantages of LED streetlights over the existing high pressure sodium lights are:

- Improved safety through enhanced visibility
- Decreased energy consumption
- Visible commitment to efficiency
- Reduced maintenance costs due to longer life
- Decreased light trespass and pollution
- Instant-on
- Opportunity for programmable controls

Under the current condition, the Town pays three categories for the streetlights:

- Facility Charge (based on the type of light fixture)
- Electricity Supply Charge - KWH used (based on Tariff S-1)
- Delivery Service Charge - KWH used (based on Tariff S-1)

Ayer currently pays NGrid for streetlights based on established "tariffs". Local streetlights which are owned by NGrid cannot currently be converted to LEDs as there is no tariff structure for utility owned LEDs . There is a tariff for municipally owned, unmetered LED streetlights. This difference in the tariffs and costs for a 50w HPS light (majority of Ayer streetlights are 50w HPS), based on information provided by MAPC is as follows:

Purchase Savings With and Without Conversion to LED - 50w HPS Example

NGrid Rate Tariff	Annual kWh	Annual Facility Charge	Electricity Cost	Delivery Cost	Maintenance Cost	Total Annual Charges
S-1 (HPS)	255	\$60.71	\$30.39	\$11.19	-	\$102.29
S-5 (HPS)	255	-	\$30.39	\$15.83	\$18.00	\$64.22
S-5 (LED)	104	-	\$12.39	\$6.46	\$9.00	\$27.85

As the table shows, there is significant saving in the Town owning and maintaining the lights and an even greater savings if the lights are upgraded to LED technology.

There are a number of issues related to the conversion of the HPS lights to LED lights. The typical unit cost to replace with an LED "cobra head" streetlight range from \$250-\$400. In addition, there are control options which can increase the purchase cost but save on the operation costs. The cost of controls varies, but can add \$100 to \$200 per streetlight.

Cost Savings Analysis

The cost savings analysis on the purchase of the NGrid streetlights is based on various assumptions developed from available literature, information from MAPC and projects from similar communities. Costs data is for comparison purposes and actual data and costs will vary based on the specific conditions, costs, procurement etc. The assumptions included in the analysis are:

Purchase price (estimated)	\$7,800
Annual O&M cost- Existing (Contract)	\$1.50 per fixture per month
Annual O&M cost - LED (Contract)	\$0.75 per fixture per month
Retrofit cost	\$175,000
Annual kWh under current Tariff (S-1)	177,817 kWh
Annual kWh Tariff with LED Fixture (S-5)	72,327 kWh

The following table summarizes the existing costs and three alternatives.

	Current Costs	Town Purchase No Upgrade	Town Purchase LED Upgrade No Grant	Town Purchase LED Upgrade with Grant(1)
Unit Facility Charge per Year (S-1)	\$32,355	\$0	\$0	\$0
Total Annual KWH	177,817	177,817	72,372	72,372
Total Annual Elec. Cost	\$21,190	\$21,190	\$8,625	\$8,625
Delivery Charge	\$7,804	\$11,037	\$4,492	\$4,492
System Purchase(2)		\$1,000	\$1,000	\$1,000
Maintenance Costs	\$0	\$10,000	\$5,000	\$5,000
LED Conversion Cost	\$0	\$0	\$21,600	\$9,300
Total Annual Cost	\$61,350	\$43,228	\$40,717	\$28,417
Annual Savings	\$0	\$18,122	\$20,633	\$32,933

- 1) Assumes \$100,000 Green Communities Grant
- 2) Assumes \$7,800 purchase price financed over 10 years.

Financing Options

The purchase of the streetlights will result in considerable cost savings to the Town. In addition, the conversion off the streetlight fixtures to LED lights will save a significant amount of energy. There are various options for funding the project which should be evaluated by the Town Accountant and other related committees.

Based on the preliminary purchase cost provided by NGrid of \$7,800, it does not appear that a capital budget item is required for this and could be paid from free cash, UDAG funds or included in the DPW Streetlight budget.

The conversion of the lights to LED technology is estimated to be approximately \$175,000. The funding for this project could be from a number of sources:

- Capital Budget Item
- Tax-exempt municipal lease financing
- Performance contract under Chapter 25A
- General obligation bonds and Qualified Energy Conservation Bonds (QEGBs)
- Green Community Grant

In addition, there are other cost incentives including MassSave which can be a onetime rebate of up to \$0.25 per kWh saved.

Recommended Action Plan for Ayer

1. Energy Committee to review this Technical Memorandum and determine tasks, schedule, approvals and responsibilities (project plan)
2. Determine financing options.
3. Develop implementation schedule
4. Present the proposal to Board of Selectmen and Finance Committee
5. Formally notify the National Grid of intent to purchase
6. Review the purchase price information and inventory that the utility provides. Perform detailed inventory review
7. Apply for Green Communities Grant
8. Solicit maintenance contract services
9. Prepare Town Meeting Article to purchase and / or upgrade streetlights
10. Implement Streetlight LED upgrade program

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: May 1, 2015

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

A handwritten signature in blue ink that reads "R.A.P." with a horizontal line underneath.

SUBJECT: Town Administrator's Report for the May 5, 2015 Ayer Board of Selectmen Meeting

Dear Honorable Selectmen,

I present to you the following Town Administrator's Report for the May 5, 2015 Ayer Board of Selectmen Meeting. If you have any questions, please do not hesitate to contact me directly. Thank you.

1. Administrative Update:

I will offer a brief oral update on the various activities and projects of the Administration since the last BOS Meeting on April 21, 2015. The FY 2016 Municipal Budget and Annual Town Meeting Warrant were approved for Town Meeting on April 21, 2015. The Town Meeting Warrant has been posted and will be mailed out to all households on May 1, 2015. The Administration has been very involved with the Budget, Warrant, and Town Meeting Preparations over the past two weeks. Additionally, I will offer a brief update on various Energy Committee activities as well as preparations for the Comprehensive Plan Committee and the conclusion/preparation of the Non-Union Personnel Compensation Study for the Fall Town Meeting in October 2015. The MBTA is currently surveying the Depot Square Property and has informed the Town that they will have an update by the completion of the first week in May. Finally with the conclusion of the Town Meeting on May 11, 2015, the DPW Superintendent and I will be putting together a plan regarding the Town's unaccepted streets. As always, I will be happy to take any questions from the BOS under this Administrative Update at the meeting on May 5, 2015.

2. Appointment of Municipal Hearing Officer:

With the creation of the full-time, day-time Fire Prevention position by the BOS on July 1, 2014, Chief Pedrazzi and Lt. Bresnahan have implemented a program in accordance with MGL Chapter 148A which allows for the issuance of citations for certain violations of the Statue Building Code and Fire Code. This is part of the Town's ongoing commitment to properties enforcement and public safety. As part of this program, the Town needs to have a designated Hearings Officer that has completed the free Department of Fire Services

Training Program (See Attached). At this time, the Town has been using the Harvard Town Administrator. The next training will be offered on May 20, 2015.

Therefore, I am respectfully recommending that the BOS appoint Ms. Carly Antonellis, Assistant to the Town Administrator as the Town of Ayer's Municipal Hearings Officer for any local code enforcement citations that are appealed. Thank you.

3. **Chapter 61A Lands (Nashua and Pleasant Streets):**

On April 27, 2015 the Town received three letters, "Statement of Intent to Sell" from Mr. Calvin Moore regarding his land(s) on Nashua and Pleasant Street(s) which are currently designated as Forest Lands pursuant to MGL Chapter 61A (See Attached). These materials were reviewed by Town Counsel (Attorney Brian Winner) and in Town Counsel's Legal Opinion these notices are deficient in terms of being compliant with MGL Chapter 61A. Please see my attached Memo. For the reasons set forth in my Memo, I am respectfully recommending that the BOS vote to authorize Town Counsel to officially respond to Mr. Calvin Moore's three letters and to advise that the statutory process under 61A, including the correct notices must and will be followed by the Town of Ayer. Thank you.

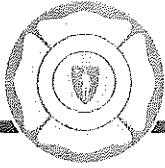
4. **FMLA Policy / Sick Leave Policy:**

Attached are two Town-Wide Policies that I am respectfully recommending that the BOS vote to approve:

- A. FMLA Policy (See Attached): The attached Town of Ayer Family and Medical Leave Act (FMLA) Policy was drafted by Benefits and Payroll and reviewed by Town Counsel. I am respectfully recommending that the BOS vote to adopt this policy and its accompanying form. Thank You.
- B. Sick Leave Policy (See Attached): On July 1, 2015 as a result of the November 2014 State Election, the Massachusetts Paid Sick Time law will become effective. Please see the attached Memo prepared by the Benefits and Payroll Manager at my request. I am respectfully recommending that the BOS formally vote not to accept the provisions of the new sick leave law for the reasons outlined in the attached Memo. Thank you.

5. **Building Department Staffing Update:**

Please see attached Memo.



Department of Fire Services
Massachusetts Firefighting Academy

MUNICIPAL HEARINGS OFFICER TRAINING

May 27, 2015

Course Number:
200-000-FMO-2015-SP-G SPA

Location:
Department of Fire Services
Room 125
One State Road
Stow, Massachusetts 01775

Time:
1000-1200

Course Fee:
Free

Registration Deadline:
May 20, 2015

Highlights of the training include:

- Source of authority and rules for conducting municipal hearings
- Burden of proof, conduct of hearings, and admission of evidence
- Creating, documenting and preserving the record for appeal

As part of the Massachusetts Fire Safety Act of 2004, the Legislature enacted M.G.L. c. 148A which allowed for the issuance of citations for certain violations of the State Building and Fire Code by state and local code enforcement officers. In order to participate in the citation process, cities/towns must appoint a certified hearings officer. This training provides an opportunity for those communities who did not initially participate or who have a need to appoint a new or additional hearings officer. If you wish to participate in the citation process, you should urge your appointing authority to designate a hearings officer and send them to this training.

Citations written by local code enforcement officers, which are appealed, are heard before a municipal hearings officer. This municipal hearings officer is appointed by his or her municipality to conduct such hearings.

In order to serve as a municipal hearings officer, an individual must receive training provided jointly by the Office of the Attorney General and the Massachusetts Association of City and Town Solicitors.

Former Assistant Attorney General Robert Ritchie and Attorney James Lampke, Executive Director-Secretary/Treasurer of the City/Town Solicitors Association are teaching this course.

PLEASE NOTE: Training is limited solely to those individuals designated by their appointing authority to serve in the capacity as Municipal Hearings Officer for hearing either building or fire appeals. Current members of a building/fire department may not serve as hearings officers for violations issued by their own department.

Registration

To reserve your spot for this important training, please call MaryElizabeth Lynch at (978) 567-3181 by Wednesday, May 20, 2015 at 5:00 p.m.

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: May 1, 2015

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

R.A.P.

SUBJECT: Chapter 61A Lands (Nashua and Pleasant Streets)

Dear Honorable Selectmen:

On April 27, 2015 the Town received three letters, "Statement of Intent to Sell" from Mr. Calvin Moore regarding his land(s) on Nashua and Pleasant Street(s) which are currently designated as Forest Lands pursuant to MGL Chapter 61A (See Attached). These materials were reviewed by Town Counsel (Attorney Brian Winner) and in Town Counsel's Legal Opinion these notices are deficient in terms of being compliant with MGL Chapter 61A for the following reasons:

1. The attached notices (letters) from Mr. Moore do not clearly indicated whether they are Notices of Intent to Sell or Notice of Intent to Convert the lands out of 61A? Clarification is needed;
2. MGL Chapter 61A provides specific criteria for Notice of Intent to Sell and Notice of Intent to Convert which these notices/letters are deficient with respect to some of these criteria. The notice(s) must include a statement of the intent to sell or convert; proposed use of the land; locations and acreage of land as shown on a map drawn at the scale of the Assessors map; and the name, address and telephone number of the landowner and landowner's attorney (if any);
3. MGL Chapter 61A provides for a specific method and criteria for delivery of notice(s). Again these notices/letters are deficient with respect to some of the statutory criteria. The notice(s) my be delivered by certified mail or hand delivery to the Board of Selectmen (addressed care of the Town Clerk); Board of Assessors (addressed directly to them); Planning Board (addressed directly to them); Conservation Commission (addressed directly to them; and State Forester (addresse3d to the Commissioner of the Department of Conservation and Recreation);
4. If these letters/notices constitute a Notice of Intent to Sell (note clarification on this is needed) than certified copies of an executed purchase and sale agreement must be provided that: specifies the purchase price and all terms and conditions; limited to property classified under Chapter 61, 61A, or 61B; is a bona fide offer that is a good fait5h offer; not dependent upon potential changes to current zoning or potential subdivision of the property for residential use, or potential development of the property for industrial or commercial use; made by a party unaffiliated with the landowner; for fixed consideration payable upon delivery of the deed; and must include copy of any additional agreements or statement of additional consideration for contiguous land under same ownership, not classified under Chapters 61, 61A or 61B to be sold contemporaneously with the proposed sale; and

5. If a Notice of Intent to Sell or to Convert is incomplete than the Town must notify the owner in writing that the notice(s) is/are insufficient and do not comply with the Statute within thirty (30) days following receipt (April 27, 2015).

In summary, these notices of intent to sale are incomplete because: only one property owner is identified; there are not specifics as to price, terms and conditions; there is no bona fide offer as set forth above; the notices are not properly addressed; and even if treated as a notice of intent to convert (and not a notice to sell as stated), the proposed use is not identified, all the property owners are not identified, the acreage is not identified and the letters are not properly addressed.

For these reasons set forth, I am respectfully recommending that the BOS vote to authorize Town Counsel to officially respond to Mr. Calvin Moore's three letters as received on April 27, 2015 are deficient and to advise that the statutory process under 61A, including the correct notices must and will be followed by the Town of Ayer. Thank you.

Attachment(s): Three Letters of "Statement of Intent to Sell" from Mr. Calvin Moore received on April 27, 2015.

RECEIVED

APR 27 2015

TOWN OF AYER
SELECTMEN'S OFFICE

Town of Ayer

Board of Selectman

April, 20, 2015

"Statement of Intent To Sell"

This letter is to notify the town of our intent to sell certain parcels of land currently classified under 61-A.

The town has the first option to purchase the land, therefore we are asking if the town wants to exercise their right.

Proposed use; residential homes

Location; end of Nashua St.

Acreage; parcel 13/10, 4.6A

Parcel 13/11, 9.5A

Landowner;

Molumco Development

Calvin Moore, president

39 Main St, suite 204

Ayer, Ma 01432

978-621-1174 or 978-772-1300



Calvin Moore

RECEIVED
APR 27 2015
TOWN OF AYER
SELECTMEN'S OFFICE

Town of Ayer
Board of Selectman
April, 20, 2015

"Statement of Intent To Sell"

This letter is to notify the town of our intent to sell certain parcels of land currently classified under 61-A.

The town has the first option to purchase the land, therefore we are asking if the town wants to exercise their right.

Proposed use; residential homes

Location; end of Pleasant St.

Acreage; parcel 12/106, 15.96A

parcel 13/9, 6.23A

Landowner;

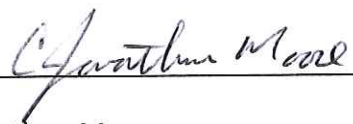
Riley Jane Farm LLC

C Jonathan Moore, trustee

12 Lawton Rd.

Shirley, Ma ~~01432~~ 01464

978-833-7270



C Jonathan Moore

RECEIVED
APR 27 2015
TOWN OF AYER
SELECTMEN'S OFFICE

Town of Ayer

Board of Selectman

April, 20, 2015

"Statement of Intent To Sell"

This letter is to notify the town of our intent to sell certain parcels of land currently classified under 61-A.

The town has the first option to purchase the land, therefore we are asking if the town wants to exercise their right.

Proposed use; residential homes

Location; end of Pleasant St.

Acreage; parcel 12/1, 21.81A

Landowner;

Cowfield Realty Trust

Calvin Moore, trustee

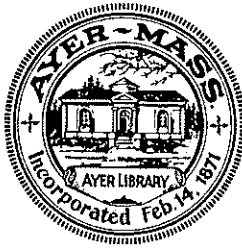
39 Main St. suite 204

Ayer , Ma 01432

978-621-1174 or 978-772-1300



Calvin Moore



Town of Ayer Family and Medical Leave Act

I. PURPOSE

This Policy describes the administration of the Family and Medical Leave Act (FMLA)

II. APPLICATION

This Policy applies to all employees of the Town of Ayer ("Town").

III. POLICY

The Town is committed to complying with the FMLA, as it may be amended from time to time.

IV. PROCEDURES

- A. Eligibility, leave entitlement, and other specific information about the FMLA are provided in the U.S Department of Labor, Wage and Hour Division, Fact Sheet #28: The Family and Medical Leave Act, Revised 2012.
- B. Employees are required to use up to half of their accrued available paid leave (personal leave and/or vacation leave) *prior* to using their sick leave in conjunction with FMLA leave.
- C. Employees are entitled to continue group health plan benefits under the same terms and conditions as when they are actively employed. Accordingly the Town will continue to pay its contribution toward health benefits for employees granted FMLA leave.
- D. The Town will require medical certification for a serious health condition of the employee or the employee's immediate family member.
- E. Employees must complete the Town of Ayer, Employee Notice of Family or Medical Leave, Town of Ayer FMLA Form 1.

Approved By:

Christopher R. Hillman, Chairman

Jannice L. Livingston, Vice Chairman

Gary J. Luca, Clerk

Ayer Board of Selectmen

Date: _____ May 5, 2015



Town of Ayer

EMPLOYEE NOTICE OF FAMILY OR MEDICAL LEAVE

DIRECTIONS TO EMPLOYEE:

1. This form is to **notify management** of your anticipated date of FMLA leave.
2. Please fill out this form and return it to your Department Head **30 days prior** to your anticipated leave date, or if your leave is unforeseeable, as soon as practicable.

TO BE COMPLETED BY EMPLOYEE: (please print or type)

1. Employee's Name: _____ SSN: _____

Department: _____

2. Patient's Name (If other than employee): _____

Relationship to Employee: _____

3. Employee's Current Address: _____

4. Type of FMLA Leave Requested:

Consecutive Leave Beginning Date: _____ Ending Date: _____

Intermittent Leave Expected days/weeks/months on leave: _____

Reduced Leave Schedule (specify change in schedule): _____

5. Reason for Leave:

Birth of a child - Estimated Date of Delivery: _____

Placement of a child by foster care or adoption Date of Placement: _____

Family member's "serious health condition"

Employee's own "serious health condition"

6. I understand that the employer may request a verifying medical certification from a physician for a leave request based on my serious health condition or the serious health condition of my spouse, child, or parent and that the employer may require a second or third medical opinion (at the employer's expense) as well as periodic re-certification. **I hereby authorize a health care provider representing the employer to contact my physician to verify the reason for my requested family and medical leave.**

7. I understand that the employer may require a fitness-for-duty examination and certification to return from leave.

8. I understand that a failure to return to work at the end of the leave period may be treated as a resignation unless an extension of leave has been agreed upon and approved by the employer.

9. I understand that a failure to return to work at the end of the leave period may require me to reimburse the employer for its share of health insurance premiums paid on my behalf during the leave period.

Employee Signature: _____ Date: _____

APPROVED BY: _____

Department Head

Payroll & Benefits Manager

Town of Ayer

Benefits and Payroll Department

1 Main Street – Ayer, Massachusetts - 01432
Kevin A. Johnston, Benefits and Payroll Manager



Tel: (978) 772-8248
Fax: (978) 772-3017

Memorandum

Date: March 6, 2015
To: Robert Pontbriand, Town Administrator
From: Kevin A. Johnston
Subject: Massachusetts Paid Sick Time Law

A summary of the Massachusetts Paid Sick Time law that becomes effective in FY 2016 is provided for your information.

In the November 2014 election voters in Massachusetts approved a ballot question that will take effect on July 1, 2015. Massachusetts employers must allow employees to earn and accrue up to 40 hours of sick time in a calendar year. The law reads in part that “all employees performing work for compensation on a full-time, part-time, or temporary basis shall be counted”.

Some specifics about the law include:

- Employees will accrue one hour of sick time for every 30 hours worked.
- Accrual begins on July 1, 2015 for current employees and the hire date if an employee is hired after July 1st.
- Employees must be permitted to use sick time beginning 90 days after the date of hire.
- Employees must be allowed to carry over up to 40 hours of unused sick time to the next calendar year and employers may limit employees from using more than 40 hours in a year.
- Employers with sick leave policies at least as generous as the criteria in the new law do not have to add additional sick time or change their existing policy.

- Employers with 11 or more employees must treat this sick time as paid leave.
- Employees of a particular city or town are covered only if the proposed law is adopted by the local legislative body.

Town of Ayer employees who are not currently benefitted could receive paid sick leave and create significant financial exposure for the Town for position not currently funded for benefits. Examples include but are not limited to call firefighters and EMTs, reserve police officers, Parks Department summer staff, and part-time administrative staff.

I recommend the Town not accept the provisions of the new sick leave law and town counsel be contacted to ensure the Town is in compliance with all statutory requirements prior to July 1, 2015.

I am available to discuss this further at your convenience.

Thank you.

cc: Town Accountant

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: May 1, 2015

TO: Ayer Board of Selectmen

FROM: Robert A Pontbriand
Town Administrator

SUBJECT: Building Department Staffing Update

Dear Honorable Selectmen:

On February 17, 2015 the BOS approved/authorized the Building Commissioner's Department Staffing Proposal (See Attached) with the amendment by the BOS to add more hours to the Administrative Assistant position.

I am respectfully requesting that the BOS authorize the attached job descriptions as follows:

1. Administrative Assistant Job Description to be approved at a rate of \$15 per hour with a schedule of Monday-Wednesday-Thursdays: 8am to 12pm (noon) and Tuesday 8am to 11am for a total not to exceed of 18 hours worked per week. This position will fall under the AFSCME 93 Town Hall / Clerical Contract. Upon BOS approval of the job description; rate; and hours worked, the Union will be contacted and upon their approval the position will be advertised first internally for 5 days (per the Contract) and then externally.
2. Assistant Zoning Enforcement Officer (AZE) Job Description to be approved at a rate of \$25 per hour with an initial schedule of 15 hours per week, however once brought up to date, the AZE will be working on an as needed basis (not to exceed 15 hours a week). The AZE will initially work on Tuesday and Thursday mornings as to have direct supervision and access to the Building Commissioner. The amount of hours and time of day for investigations will vary depending on the type of complaint. Some complaints may need investigation work at night. Upon BOS approval of the job description; rate; and hours worked, the Union will be contacted and upon their approval, the position will be advertised first internally for 5 days (per the Contract) and then externally.

If you have any further questions, please do not hesitate to contact me directly.

Thank you.

Attachment(s): DRAFT Building Department Administrative Assistant Job Description
DRAFT Assistant Zoning Enforcement Officer (AZE) Job Description

Cc: Building Commissioner

****DRAFT****

**ADMINISTRATIVE ASSISTANT
(BUILDING DEPARTMENT)**

Position Purpose:

The purpose of this position is to perform responsible administrative and clerical work as well as customer service in supporting the operations of the Building Department; performs all other related work as required.

Job Description:

Responsible for data entry of building permits; receiving new permit application packages; making initial review of the package to make sure that the basic documentation is in order, and advising the applicant of missing information. Answering phone calls and scheduling inspection appointments. Issuing forms and addressing public walk-ins. Filing and record keeping. Customer service..

Supervision:

Work is performed under the direction of the Building Commissioner. The position reports to the Building Commissioner.

Schedule:

Monday-Wednesday-Thursday: 8:00am to 12:00pm

Tuesday: 8:00am to 11:00am

Maximum of eighteen (18) hours per work

Salary: \$15.00 per hour; part-time; non-benefitted position. Position is covered under the AFSCME 93 Town Hall / Clerical Collective Bargaining Agreement.

Job Environment:

Work is performed under typical office conditions at the Ayer Town Hall.

Recommended Minimum Qualifications:

High school diploma and/or five years of related experience.

Experience with Microsoft Office products. Thorough knowledge of office practices and procedures as well as filing and records keeping. Excellent customer service skills. Ability to effectively multi-task.

Physical Requirements:

Tasks require the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods at a keyboard or workstation. Some tasks require the ability to communicate information to the public.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

DRAFT

**ASSISTANT ZONING ENFORCEMENT OFFICER (AZE)
(BUILDING DEPARTMENT)**

Position Purpose:

The purpose of this position is to perform the duties required to enforce and/or assist the Building Commissioner with the Town of Ayer By-Laws, specifically the Town of Ayer Zoning By-Law; Abandoned Vehicle Bylaw and/or Nuisance Bylaw under the direction of the Building Commissioner and in support of the Building Department.

Job Description:

Responsible for the enforcement of the Town of Ayer Bylaws related to zoning, property, abandoned vehicle and/or nuisance enforcement. The AZE will investigate complaints as assigned by the Building Commissioner. Upon conducting an investigation, the AZE will report their finding to the Building Commissioner for review. Once approved by the Building Commissioner, the AZE will proceed with any appropriate zoning enforcement action. Must demonstrate a high level of professionalism and confidentiality.

Supervision:

Work is performed under the direction of the Building Commissioner. The position report to the Building Commissioner. Position will work independently and/or with other Departments with respect to complaints/investigations.

Schedule:

The AZE will initially work on Tuesday and Thursday mornings for up to 15 hours per week (not to exceed). Upon completion of initial work/training, the AZE will work on an as needed basis depending on complaints. Some complaints may require investigation work at night.

Salary:

\$25.00 per hour; part-time (not to exceed 15 hours a week); non-benefitted position. Position is covered under the AFSCME 93 Town Hall / Clerical Collective Bargaining Agreement.

Job Environment:

Work is performed under typical office conditions when at the Ayer Town Hall. Position requires AZE to perform complaint investigations within the Town of Ayer including but not limited to outside conditions.

Recommended Minimum Qualifications:

High School Diploma. Associate's and/or related degree desirable. Minimum of five years of investigatory and/or inspectional and/or related experience and/or a combination of all. Experience with Microsoft Office Products. Ability to write reports. Must possess a valid Massachusetts Drivers' License and be able to drive to investigation locations within the Town of Ayer. Must be able to successfully pass a CORI.

Physical Requirements:

Tasks require the ability to drive to locations within the Town of Ayer. Investigations may involve outside weather. Other work within an office setting of the Ayer Town Hall. Tasks require the ability to effectively communicate and interact with the public in a professional and confidential manner.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Joint Meeting of the Ayer Board of Selectmen and Ayer Finance Committee
April 21, 2015
Open Session Meeting Minutes

Broadcast and Recorded by APAC

BOS Present: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice-Chair; Gary J. Luca, Clerk

Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator
Lisa A. Gabrec, Town Accountant/Finance Manager

Fin Com Present: Scott Houde, Chair; John Kilcommins, Vice-Chair; Pauline Conley, Clerk; Marianne Zawacki; Chris Meusel

Call to Order: C. Hillman called the meeting to order at 7:05 PM.

Review and Approve Agenda:

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the agenda. **Motion passed 3-0.**

Announcements: C. Hillman made the following announcements: the Annual Town Election will be held on Monday April 27, 2015 from 7:00 AM-8:00 PM; the Annual Town Meeting will take place on May 11, 2015 at 7:00 PM; there is a potential JBOS Super Town Meeting scheduled for June 8, 2015 at 7:00 PM; the Tax Collector's Office will be open until 4:00 PM on Friday May 1, 2015 to collect 4th quarter tax payments; and the Cleaner Ayer Town-wide cleanup event will take place on Saturday April 25th and Sunday April 26th, 2015.

Public Input: None

Ms. Alicia Hersey – Office of Community and Economic Development: Ms. Kelly White accompanied A. Hersey for the loan subordination request, case #11-369 for 83-85 West Main Street.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the subordination of the Town's lien for a first mortgage in the amount of \$396,418 so the property owner can refinance to obtain a more competitive PMI. **Motion passed 3-0.**

Call to Order of the Ayer Finance Committee: S. Houde called the Finance Committee Meeting to order at 7:11 PM. Members joined the table.

Joint Review and Approval of the FY 2016 Budget: L. Gabrec presented a Power Point presentation that included FY 2016 revenue projections, tax information, charges and the omnibus budget. R. Pontbriand then detailed the Selectmen's budget and the Town Counsel budget.

Mary Spinner, 18 Myrick Street asked about the status of the Communications Committee. R. Pontbriand stated that many of the functions of the Communications Committee have morphed into the I.T. Committee. Clean-up language will be presented at the 2015 Fall Special Town Meeting.

S. Houde then asked Ayer Police Chief William Murray to explain the added position of part-time records clerk sought at the Police Department. Chief Murray said that the Detectives spend several hours each day doing clerical functions, because the volume of requests is very high. This will be a part-time, non-benefitted, non-union position.

P. Conley asked why this position would not be in the union. Chief Murray said because of the high level of confidential material that would be handled.

L. Gabree presented the remainder of the FY' 2016 budget, highlighting the following: the Parks Department will see a slight increase due to the minimum wage increase and the lifeguards being paid at a higher rate; the Library will be eliminating a position and making the Children's Librarian position fulltime; the Fire line item will increase includes funding for a signal booster and a rescue boat; the Police Department will see a \$6,000 decrease in the Reserve Officer account.

Both Boards then discussed how to split the remainder of free cash between OPEB and the Stabilization Fund. The Finance Committee is recommending a 50/50 split with 25% of the Stabilization allotment going towards capital stabilization.

Joint Review and Approval of the 2015 Annual Town Meeting Warrant: R. Pontbriand presented the Draft Annual Town Meeting Warrant to both Boards. Several articles were asked to be held for further explanation/discussion, articles 5, 6, 8, 21, 22, 24, 25, 28, 35, 36, 39. R. Pontbriand and L. Gabree answered questions from both boards on these articles:

Articles 5 & 6 (Contract Funding Patrol and Communications Division) – P. Conley wanted a breakdown of funds on both contracts. R. Pontbriand stated he will be making a presentation at the Town Meeting.

Article 8 (Ayer Shirley Regional School District Assessment) - L. Gabree explained that the figure will be decreasing from \$10,083,995 to \$9,803,576.

Article 21 (Capital Budget Requests) – L. Gabree stated that the Stormwater Drain upgrades would not be borrowed; it would be coming out of free cash.

Article 22 (Grove Pond Water Treatment Plant Garage) – G. Luca wanted to know why this was not being paid out of free cash. L. Gabree stated that this article funds the garage by transferring previous town meeting funds and does fund the balance from free cash.

Articles 24 & 25 (OPEB Fund and Stabilization Fund) – L. Gabree stated that the figures would be added pursuant to the recommendations made earlier in the evening (remainder of free cash divided 50/50 between OPEB and Stabilization with 25% of the Stabilization allotment going towards Capital Stabilization).

Article 28 (Grant Agreement for Sandy Pond Schoolhouse Association) – Board members asked for clarification on the method of a grant agreement. R. Pontbriand explained that if approved by Town Meeting, the Board of Selectmen would be authorized to enter into a grant agreement with the Sandy Pond Schoolhouse Association.

Article 35 (Purchase and Acquisition of Land – 0 Park Street) – Board members asked for clarification on this article. R. Pontbriand explained that the acquisition of land is subject to Town Meeting approval and will

include a purchase and sales agreement and a Phase 1 Environmental Report. Chief Pedrazzi will be making a formal presentation at Town Meeting.

Article 36 (Acceptance of the Richard T. Fletcher 1987 Trust) – R. Pontbriand indicated that he would add the value of the trust into the explanatory note of the article.

Article 39 (Acquisition of Land on Snake Hill Road) – P. Conley asked that the phrase “to acquire by gift, purchase and/or eminent domain” be reviewed by Counsel again. She stated that if the land is being gifted, should the phrases “purchase” “eminent domain” be listed in the warrant article. R. Pontbriand stated that although Town Counsel has already reviewed the draft, he’ll inquire and advise.

Finance Committee Motion: A motion was made by J. Kilcommins and seconded by P. Conley to favorably recommend all warrant articles with the exception of the non-financial warrant articles, specifically Articles 36, 40, 41. **Motion passed 5-0.**

Board of Selectmen Motion: A motion was made by G. Luca and seconded by J. Livingston to favorably recommend all articles on the Annual Town Meeting Warrant with discussed revisions made at this evening’s meeting. **Motion passed 3-0.**

Adjournment of the Ayer Finance Committee:

Finance Committee Motion: A motion was made by J. Kilcommins and seconded by P. Conley to adjourn at 8:52 PM. **Motion passed 5-0.**

Members of the Finance Committee leave table.

Town Administrator’s Report: R. Pontbriand thanked all Department heads for their efforts in drafting the FY’2016 budget and the 2015 Annual Town Meeting Warrant. C. Hillman thanked L. Gabree for her efforts, as well.

Valet Parking Permit Proposal – R. Pontbriand, Chief Murray, Economic Development Director David Maher and DPW Superintendent Mark Wetzel outlined the proposed valet parking permit program. The Town had received a request from a downtown business owner to operate a valet service on the weekends in the evening. R. Pontbriand outlined the process of drafting the proposed program guidelines.

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the valet permit program and to authorize the Police Chief to administer it. **Motion passed 3-0.**

Reserve Fund Transfer – R. Pontbriand is requesting approval for a Reserve Fund Transfer in the amount of \$18,000 in the Legal Services line citing the following cases that have impacted the legal services budget: *Bolduc v. Town of Ayer*; *U.S. v. Boston and Maine Railroad v. Town of Ayer*; *Gintner v. Town of Ayer*; Officer M. Power 111F Medical Status; AFSCME 93 Unfair Labor Practice.

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the Reserve Fund Transfer request in the amount of \$18,000 to account #01151. **Motion passed 3-0.**

R. Pontbriand then gave an update of the MBTA/Depot Square property issue stating that the MBTA has arranged for the parcel to be staked out and surveyed and that the process will be completed by the first week of May, 2015.

New Business/Selectmen’s Questions: C. Hillman asked R. Pontbriand to facilitate the new Director of Mass Development to appear before the Board of Selectmen.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by G. Luca to approve the meeting minutes of April 7, 2015. **Motion passed 3-0.**

Executive Session:

Motion: A motion was made by C. Hillman and seconded by J. Livingston in Open Session to enter into Executive Session at 9:21 PM pursuant to Massachusetts General Law, Chapter 30A, Section 21A Exemption #3 (Collective Bargaining) Police and Dispatchers Contract Negotiations Update and to adjourn at the conclusion of Executive Session. C. Hillman stated that to discuss these items in Open Session would be detrimental to the Town's Negotiating Strategy. By Roll Call Vote: C. Hillman, Yes; J. Livingston, Yes; G. Luca, Yes. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Minutes Approved by BOS: _____

Gary J. Luca, Clerk: _____

DRAFT