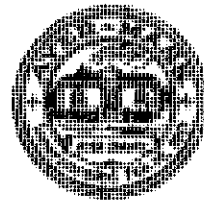


Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Tuesday, March 25, 2014, 7:00pm

EXECUTIVE SESSION MEETING AGENDA – 6:30pm

- 6:30pm Call To Order In Open Session
6:35pm Executive Session Pursuant to MGL Chapter 30A, Section 21A, Exemption #3
(Collective Bargaining) Step 3 BOH Grievance Decision Deliberation by BOS
7:00pm Adjournment from Executive Session

OPEN SESSION MEETING AGENDA – 7:00pm

- 7:00pm Call to Order/Reconvene in Open Session – Review & Approve Agenda
7:05pm Eagle Scout Recognition – Mr. Ian Smith, Ayer B.S.A. Troop #3
7:15pm PUBLIC INPUT
7:25pm Approval of Annual Town Election Warrant for Monday, April 28, 2014
7:30pm Shaker Hills – Request for Extension of Liquor License Serving Hours on Sundays and Holiday per MGL Chapter 138, Section 33B
7:45pm Representatives of the Ayer Conservation Commission and Dam & Pond Committee Comprehensive Survey of Ayer Ponds
8:15pm Town Administrator’s Report
1. Appointment to the COA Board of Directors
2. Old Central Fire Station RFP Review Process
3. Request to Declare a Public Hearing for the FY 2015 Water and Sewer Rates
4. Request to Declare a Public Hearing for the FY 2015 Town Budget
5. Town Hall Window Replacement Proposal
6. Review/Discussion of DRAFT ATM Warrant and DRAFT FY 2015 Budget
7. Discussion on Proposed Use(s) of Free Cash for FY 2015 Capital Items
8. Approval of 2013 Annual Town Report Cover and Dedication
9:00pm New Business / Selectmen’s Questions
• JBOS Update – Selectman Luca
• Sandy Pond Traffic Update / Columbia St. Truck Traffic – Selectman Hillman
• Business Certificates Update – Selectman Hillman
• Building Department Staffing/Funding – Selectman Hillman
• Selectmen “Back Channel” Communications – Selectman Hillman
9:15pm Approval of Meeting Minutes: Jan. 21, 2014; Feb. 4, 2014; Feb. 18, 2014; Mar. 4, 2014
9:30pm Adjournment

Town of Ayer

AYER BOARD OF SELECTMEN
Open Session Meeting Agenda and Meeting Packet
Tuesday, March 25, 2014, 7pm
First Floor Meeting Room – Ayer Town Hall

7:00pm CALL TO ORDER/RECONVENE IN OPEN SESSION

- Review & Approve Agenda
- Announcements

7:05pm EAGLE SCOUT RECOGNITION

- The BOS will publically recognize Eagle Scout, Mr. Ian Smith of Ayer B.S.A. Troop #3 with a BOS Citation. (See Attached Letter)

7:15pm PUBLIC INPUT

205 4-1-14



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

March 2, 2014

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

RE: Eagle Scout - Court of Honor

Dear Sir or Madam:

On April 5, 2014 Ian Smith of Boy Scout Troop #3 Ayer will be honored on his advancement to the rank of Eagle Scout. Ian's project was the finding, mapping out, and cleaning of government markers on graves @ St. Anthony's Cemetery in Shirley as well as painting the statues and the arch entry sign.

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

A handwritten signature in cursive script that reads "Karen Januskiewicz".

Karen Januskiewicz, Troop Committee Chair

7:25pm APPROVAL OF ANNUAL TOWN ELECTION WARRANT
FOR MONDAY, APRIL 28, 2014

- At the request of the Town Clerk, the BOS is respectfully requested to approve the Annual Town Election Warrant for Monday, April 28, 2014 and to sign the Warrant (See Attached)

**TOWN WARRANT
ANNUAL TOWN ELECTION
MONDAY, APRIL 28, 2014**

**Commonwealth of Massachusetts
Middlesex, ss**

To Any Constable of the Town of Ayer

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer, qualified to vote in Town Elections and Affairs to meet at the Ayer Town Hall, 2nd Floor Great Hall, 1 Main Street in said Ayer on Monday, the twenty-eighth day of April, A.D. 2014 at seven o'clock in the forenoon then and there to act on the following articles:

Article 1: To vote on one (1) ballot for the following: Three (3) Selectmen¹, one (1) Town Clerk for three (3) years, one (1) Tax Collector for three (3) years, one (1) Commissioner of Trust Funds for three (3) years, one (1) Constable for three (3) years, one (1) Assessor for three (3) years, one (1) Park Commissioner for three (3) years, one (1) Park Commissioner for three (3) years, one (1) Planning Board member for two (2) years, one (1) Planning Board member for five (5) years, one (1) Board of Health member for three (3) years, one (1) Library Trustee for three (3) years, one (1) Tree Warden for three (3) years, and one (1) Regional School District Committee member for three (3) years.

And you are further directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Affairs to meet at the 2nd Floor Great Hall of the Ayer Town Hall at 1 Main Street, Ayer, Massachusetts 01432 on Monday, May 12, 2014, at 7:00 PM then and there to act on the articles presented.

And you shall be further directed to serve this warrant by posting attested copies thereof in three (3) or more public places, one of which shall be the Town Hall, seven (7) days at least before said election.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this _____ day of March 2014.

A true copy attest:

John C. Canney, II
Ayer Town Clerk
Date: _____

Gary J. Luca, Chairman

Christopher R. Hillman, Vice Chairman

Jannice L. Livingston, Clerk

Pauline Conley

As directed in the foregoing warrant, I have this day posted three (3) attested copies in three (3) public places, one of which was the Town Hall at least seven (7) days before said election, all as herein directed.

Constable

Date

¹ Per town counsel: Vote for Three (one for 3 years, one for 2 years, one for 1 year) The candidate receiving: the highest number of votes shall serve a 3 year term; the second highest number of votes a 2 year tem; and the third highest number of votes a 1 year term. See also an attached copy of the special act found at <https://malegislature.gov/Laws/SessionLaws/Acts/2013/Chapter40>.



- Massachusetts Laws
- Massachusetts Constitution
- General Laws
- Rules
- Session Laws

Session Laws

Print Page

Acts		
2013		Jump to: 2013 ▼
CHAPTER 40	AN ACT ESTABLISHING A 3-MEMBER BOARD OF SELECTMEN IN THE TOWN OF AYER.	PREV NEXT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding sections 1 and 2 of chapter 41 of the General Laws or any other general or special law to the contrary, there shall be 3 members of the board of selectmen in the town of Ayer.

SECTION 2. In order to provide for a reduction in the number of members from 5 to 3, there shall appear on the ballot at the first annual election occurring at least 64 days following acceptance of this act, the office of selectman, with the instruction to vote for 3 candidates and such other information as will aid the voters. The candidate receiving the highest number of votes at the election shall serve a term of 3 years, the candidate receiving the second highest number of votes shall serve a term of 2 years and the candidate receiving the third highest number of votes shall serve a term of 1 year. Next to the name of any incumbent selectman appearing on the ballot as a candidate for election to said office shall appear the words, "candidate for re-election". No other term of office for a selectman shall appear on the ballot at such election. Upon election of 3 selectmen, the terms of the incumbent members of the 5-member board of selectmen shall terminate and the board of selectmen shall be immediately reconstituted as a 3-member board. Thereafter, all members of the board of selectmen shall be elected to terms of 3 years.

SECTION 3. This act shall be submitted for acceptance by the voters of the town of Ayer at an annual or special election in the form of the following question:

Shall the act passed by the general court in the year 2013 entitled, "An Act establishing a 3-member board of selectmen in the town of Ayer", be accepted?

If a majority of the votes cast in answer to that question is in the affirmative, sections 1 and 2 shall take effect in the town of Ayer, but not otherwise.

SECTION 4. This act shall take effect upon its passage.

Approved, July 22, 2013.

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7:30pm SHAKER HILLS – REQUEST FOR EXTENTION OF LIQUOR LICENSE
SERVING HOURS ON SUNDAYS AND HOLIDAYS
PER MGL CHAPTER 138, SECTION 33B

(See Attached)



March 11, 2014

To: The Board of Selectmen

From: JoAnn Upham, General Manager, Shaker Hills Country Club

I respectfully submit a request for consideration for an extension to our liquor license serving hours on Sundays and Holidays per MGL Chapter 138 Section 33B. We are seeking this extension to be able to offer alcohol service during our brunch hours commencing at 8:00am.

I thank you for your consideration and assistance with this request.

Please feel free to contact me at any time.

Sincerely,

JoAnn Upham
General Manager
Shaker Hills Country Club
146 Shaker Rd.
Harvard, MA 01451
978-772-3330
401-864-4561 cell

Janet Lewis

From: joann@shakerhills.com
Sent: Tuesday, March 11, 2014 7:02 PM
To: bos@ayer.ma.us
Subject: Shaker Hills Country Club request for liquor license extension
Attachments: Shaker Hills Country Club Liquor License Extension Request.docx

Hi Janet,

It was a pleasure meeting with you last week!

I thank you for your time and guidance on the process of requesting an extension to our Sunday/Holiday liquor license serving hours.

I have attached our letter of request for you to present to the Board of Selectmen at their meeting this week, if at all possible. Otherwise, to be presented at the Board of Selectmen regular meeting at the end of this month.

Please let me know if I should include any additional information along with this request.

If possible, we would like to commence the earlier alcohol service as of Easter Sunday, April 20, 2014.

Again, thank you for your time and assistance with this request.

Sincerely,

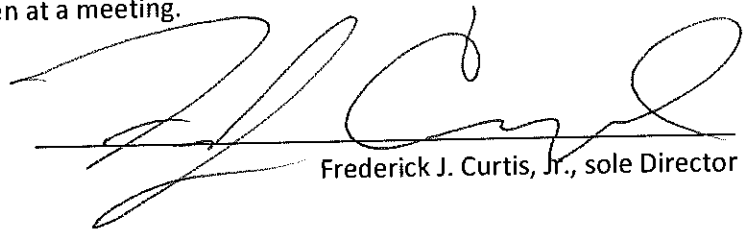
*JoAnn Upham
General Manager
Shaker Hills Country Club
146 Shaker Rd.
Harvard, MA 01451
978-772-3330
401-864-4561 cell*

Shaker Hills Country Club, Corp.
Director Action by Written Consent

The undersigned, being all the directors of Shaker Hills Country Club, Corp., a Massachusetts corporation (the "Corporation"), hereby consent to the following actions and adopt the following votes in lieu of a special meeting of the Board of Directors, pursuant to the provisions of Chapter 156D, Section 8.21 of the Massachusetts General Laws:

VOTED: To file with the Town of Ayer Licensing Authorities a request for an extension to our Liquor License on Sundays/Holidays to commence alcohol service as of 8:00am, as allowed per MGL Chapter 138 Section 33B and in accordance with Town of Ayer provisions relating to such matters.

This writing shall be filed with the records of the meetings of the directors of this Corporation and shall be treated for all purposes as resolutions taken at a meeting.


Frederick J. Curtis, Jr., sole Director

Dated: March 12, 2014

ATM 5-13-96

BOS
3-141

in book 24404-391.

EXCEPTING Parcel "B" shown on the above mentioned plan
Said Parcel "B" contains 7,854 sq. ft.

TOGETHER with a utility easement in and over Parcel "B"
shown on said plan.

TOGETHER with a 10' wide slope easement in and over Lots
104 and 105 as shown on said plan. Take any action
thereon or in relation thereto.

ARTICLE 14. To see if the Town will vote to adopt the Chapter 71, Sections 14 and 14A of the Massachusetts General Laws regulating the forming of a Regional School District Planning Board and to provide five hundred dollars (\$500.00) for an operating budget, take any action thereon or in relation thereto.

ARTICLE 15. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 138, Section 33A, which provides: "The Local Licensing Authority of any City or Town which accepts this section may authorize licensees under section 12 to sell alcoholic beverages between the hours of one o'clock ante meridian and two o'clock ante meridian on Sundays, the last Monday in May and on Christmas Day or on the day following when said day occurs on a Sunday" or take any action thereon or in relation thereto. (BY PETITION)

ARTICLE 16. To see if the Town will accept the provisions of Massachusetts General Laws, Chapter 138, Section 33B, which provides: "The local licensing authority of any City or Town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of eleven o'clock ante meridian and twelve o'clock noon on Sundays, the last Monday in May and on Christmas Day or on the day following when said day occurs on Sunday" or take any action thereon or in relation thereto. (BY PETITION)

ARTICLE 17. To see if the Town vote to raise by taxation or transfer from available funds, the sum of five thousand dollars (\$5,000.00) for the purpose of providing senior citizens and disabled homeowners with a real estate tax payment voucher program approved by the Town Administrator or take any action thereon or in relation thereto.

AYER SENIOR CITIZENS PROPERTY TAX WORK-OFF PROGRAM

1. ELIGIBILITY:

- ***Must be 60+ or disabled resident of Town
- ***Must be home owner or current spouse
- ***Must occupy the property for which the voucher will be used for
- ***Only one application per household accepted

**REPRESENTATIVES OF THE AYER CONSERVATION COMMISSION AND
DAM & POND COMMITTEE RE: COMPREHENSIVE SURVEY OF AYER PONDS**

- Representatives of the Conservation Commission and Dam & Pond Committee have asked to appear before the BOS to discuss their proposed Community Preservation project/application for the Comprehensive Survey of Ayer Ponds (See Attached)

TOWN OF AYER
PRE-APPLICATION FOR
COMMUNITY PRESERVATION FUNDING

Date: March 5, 2014

Project Title: Comprehensive Survey of Ayer Ponds
Name of Applicant: Ayer Conservation Commission
Name of Organization: Ayer Conservation Commission
Address: 1 Main Street, Ayer, MA 01432
Telephone: 978-772-8249 ; Bill Daniels, Chair: 315-338-3360
Email: conservation@ayer.ma.us ; bdaniels@ayer.ma.us

CPA Category (circle all that apply): **Open Space** **Historic Preservation**
 Recreation **Community Housing**

CPA Funding Requested: \$ 20,000 Total Project Cost: \$ 83,032

Project Description: Please provide a brief project description below. Include a brief description of how your project accomplishes the goals of the CPA and include an estimated budget. Please include supporting materials as necessary.

To fund a comprehensive survey and biological assessment of Ayer ponds (Sandy, Flannagan, Long, Pine Meadow, Balch, and Grove); to formulate long-term management recommendations; to perform a recreation risk assessment for Grove Pond.
- helps Town preserve and protect open space / natural resources;
- serves both open space + recreational interests;
- will help Town apply for grants for implementation projects;
- has the support of multiple boards.

NOTE: This application enables the CPC to review the request to ensure eligibility and offer guidance. If eligible, an Application for Funding must be completed.

Date Received <u> / / </u>	Date Reviewed <u> / / </u>	Determination of Eligibility Y N
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TOWN OF AYER
APPLICATION FOR
COMMUNITY PRESERVATION FUNDING

Date: March 5, 2014

Project Title: Comprehensive Survey of Ayer Ponds

Name of Organization/applicant Ayer Conservation Commission

Address: 1 Main Street, Ayer, MA 01432

Contact person: Bill Daniels, Chair

Telephone: 315-338-3360 Email: bdaniels@ayer.ma.us

bdaniels@nextlinkgs.com

CPA Category (circle all that apply):

Open Space

Historic Preservation

Recreation

Community Housing

CPA Funding Requested: \$ 20,000 Total Project Cost: \$ 83,032

Fiscal Year	Total Project Cost	CPC Funds Requested	Other Funding Sources (amount and source)
FY 2015	83,032	20,000	10,000 Pond + Dam Committee (CPC 2011)
			DPW ? tbd
			Parks + Recreation ? tbd
			BOS ? tbd
Total	83,032	20,000	Spring Town Meeting ? tbd

Please attach answers to the following questions. Include supporting materials as necessary.

1. **Project Description:** Please give a detailed project description (including as appropriate, plans or drawings, ownership of control, feasibility studies, background information on organization and/or key personnel), including specific objectives.
2. **Goals:** How does this project accomplish the goals of the CPA? (See Guidelines for Project Submission for general criteria and the Ayer Community Preservation Plan for category specific criteria)
3. **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones? Will this be a multi-year project?
4. **Budget:** Please provide a full budget including the following information, as applicable. (NOTE: CPA funds may not be used for maintenance):
 - a. Total amount of the project cost, with itemization of major components.
 - b. Additional funding sources. Please include those that are available, committed, or under consideration.
 - c. Describe the basis for your budget and the sources of information you used.
5. **Support:** Have the appropriate Town Boards and Commissions expressed support and/or approved the project? What is the nature and level of community support for this project? Include letters of support if applicable.

Project Introduction

To fund a comprehensive survey and biological assessment of Ayer ponds (Sandy, Flannagan, Pine Meadow, Long, Balch, and Grove ponds).

The purpose of this assessment is to evaluate the current state of these six ponds (baseline water quality and aquatic vegetation surveys), to assess contributing conditions that affect them (pollutant loading analysis), and to formulate long-term management recommendations, including aquatic vegetation management, as a guide to the Town. In addition, the project seeks a recreation risk evaluation for Grove Pond specifically.

The proposal is consistent with general criteria for CPA funding in a variety of ways:

It is consistent with the goals identified in the Town of Ayer's Comprehensive Master Plan (2005), specifically to "value, manage and protect water and rural land as critical community resources." A comprehensive biological survey is essential as an informed guide to better preserving and enhancing environmental resources and natural habitats within the Town of Ayer.

In addition, this proposal is consistent with goals identified by Ayer CPC in its Community Preservation Plan for Fiscal Years 2010-2014, including to protect environmentally-sensitive land as well as to protect Ayer's rural character and scenic vistas. This plan identified the preservation of open space as the most important function for the use of CPA funds in Ayer. Water resources, especially in the many small and large ponds that dominate Ayer's topography, were recognized as a critical component of Ayer's natural resources.

This proposal also serves more than one CPA purpose in that it links Open Space preservation with Parks & Recreation interests. The Parks & Recreation department maintains the Town Beach on Sandy Pond, and also Pirone Park which abuts Grove Pond. In addition, Ayer residents engage in a variety of passive recreational pursuits on Long Pond, Pine Meadow Pond, and Flannagan Pond.

The Conservation Commission believes this project is both practical and feasible. The scope of the project has been narrowed, and the project can be completed in a timely fashion during the targeted months of August and September 2014. Over the next few months, the consultant would then develop a summary report and range of management options to facilitate fiscal planning.

Additionally, if specific projects are identified for implementation, the existence of a comprehensive survey and management plan will better enable the Town to apply for state assistance, grant funding, and other sources of funding.

This project has the support of the Conservation Commission and of the Pond & Dam Management Committee. Both groups will be meeting with the Board of Selectmen later in March, but based on past discussions with the Board, it is believed that the project will have their support as well.

Project History, Description, and Goals

The Town of Ayer is home to numerous small and large interconnected ponds that provide diverse recreational opportunities, wildlife habitat, and scenic value. In 2005, the Town of Ayer commissioned a baseline biological survey and recommendation plan for several of its ponds, the primary purpose being to develop a management plan for control of pond weed vegetation, especially invasive species such as milfoil and fanwort. While some weed treatments followed (on Sandy Pond, Flannagan Pond, and Pine Meadow Pond), a consistent management plan and funding mechanism were never implemented by the Town, in part due to the broad economic collapse of 2008. Funding allocated to the Conservation Commission for weed treatment in 2006 was quickly used up, and in years following, the Board of Selectmen explicitly discouraged requests being raised for additional weed treatment funding.

Because of deteriorating conditions and lack of funding for weed treatment, some concerned residents formed the Friends of Flannagan Pond in late 2010. This led to the inclusion of "Article 38" at Spring Town Meeting 2011, successfully seeking \$35,000 in funding from the Town for weed treatment exclusively on Flannagan Pond. In addition, following meetings with the Friends of Flannagan Pond, the Board of Selectmen also made available \$35,000 in UDAG funds, also for use in treating Flannagan Pond. Broader discussion with the Board of Selectmen led to their decision to create a Pond & Dam Management Committee in June 2011. Although a mission charter has yet to be written, it is generally understood that this committee is to look beyond just weed control issues and make recommendations as to the preservation and management of all of Ayer's ponds. At Fall Town Meeting in 2011, voters approved the allocation of \$10,000 in CPC funds to the Pond & Dam Committee for use in funding a comprehensive pond study. (It should also be noted that at the same Town Meeting, voters also approved the allocation of \$35,000 in CPC money to fund the previously passed but unfunded Article 38 from Spring Town Meeting.)

Working with the Pond & Dam Management Committee, and with the encouragement of the Board of Selectmen, the Conservation Commission issued a Request for Qualifications (RFQ) in the spring 2013. This RFQ solicited consultants capable of performing a comprehensive baseline biological survey and assessment of Ayer's ponds, and of developing long-term management recommendations. The scope of this survey is much broader than the one undertaken in 2005. It seeks, in part, to update knowledge of the current condition of the ponds for the purpose of advising both the Board of Selectmen and the Pond & Dam Management Committee. The management recommendations requested in the RFQ are intended to lay out a range of options and estimated costs that would allow the Town to plan ahead in a fiscally responsible manner. The scope of the survey is designed to elicit information not only with regard to weed control, but also in terms of water quality as it affects recreational uses and habitat preservation. This survey, unlike the 2005 survey, also seeks information on sources of pollution entering the ponds, including stormwater and road run-off, residential impact, and erosion concerns.

Three proposals were received by the June 27, 2013 deadline and were subsequently reviewed by the Conservation Commission. Of the three, the Conservation Commission was most favorably impressed by the submission and qualifications of an Acton company, Geosyntec Consultants. The cost of the proposal, however, was far higher than what was anticipated based on the more limited 2005 study. Members of the Conservation Commission and the Pond & Dam Management Committee met with the Board of Selectmen on September 17, 2013 and received their support for the overall idea of the project. The Board asked the groups to meet separately to both come to a consensus on the project and discuss funding sources before re-appearing before the BOS.

A representative from Geosyntec, Robert Hartzel, met jointly with the Conservation Commission and the Pond & Dam Management Committee on September 30, 2013, with the goal of discussing the proposal and narrowing its scope so that it would be as cost-effective as possible. Geosyntec submitted a revised proposal on October 21, 2013, and the total cost of the comprehensive survey was now estimated at \$83,032.

As Mr. Hartzel made clear, little grant funding is available for performing studies and recommendation surveys. Far more grant funding is available for actual implementation projects after a study has been done. Funding for the Conservation Commission is very limited and does not include a regular budget for even just weed control. Members of the Pond & Dam Management Committee have discussed other funding sources, with DPW Superintendent Mark Wetzel raising the possibility of some DPW stormwater funds being allocated to funding the survey. Since both Sandy Pond, where the Town's public beach is located, and Grove Pond, which Pirone Park abuts, are part of the planned study, the Parks & Recreation Department has also been considered as another funding source. To date, however, specific funds have not been committed.

This application seeks additional CPC funding of \$20,000, in addition to the \$10,000 allocated to the Pond & Dam Management Committee in fall 2011. It is the intent that, between now and Spring Town Meeting, May 12, 2014, the Conservation Commission, working with the Pond & Dam Management Committee and the BOS, will have definitively identified other funding sources. If additional funds need to be sought at Spring Town Meeting, the goal is to have this number be as low as possible to encourage a favorable vote.

This project meets the criteria by which CPA funds can be allocated for Open Space purposes. A comprehensive baseline biological survey will contribute to Ayer's ability to preserve its water resources and associated wildlife habitat by developing responsible management practices. Since CPA funds cannot be used to rehabilitate or restore Open Space unless that Open Space was first acquired or created with CPA funds, it is unlikely that implementation projects recommended by the survey would qualify for Ayer CPC funding. Therefore this application seeks additional CPC support at this stage at which CPA funds can legitimately be used.

Timeline

Geosyntec has indicated that the optimal time for performing this comprehensive survey and assessment of the ponds would be in July and August. Between now and Spring Town Meeting, additional funding sources will be identified in discussion with the Pond & Dam Management Committee and with the Board of Selectmen. It is assumed that any gap in funding will be addressed by an article in the Town Warrant.

Support

Ayer Conservation Commission
Pond & Dam Management Committee
Board of Selectmen

Request for Qualifications (RFQ)

COMPREHENSIVE POND SURVEY AND MANAGEMENT RECOMMENDATIONS BASELINE BIOLOGICAL SURVEY OF AYER'S PONDS

**Conservation Commission
Ayer, MA**

The Town of Ayer, acting through its Conservation Commission, seeks Statements of Qualifications from experienced providers interested in performing a comprehensive baseline biological survey and assessment of its ponds, and to provide long-term management recommendations.

Eight sealed qualifications packets, plainly marked "Comprehensive Pond Survey", should be submitted to the Ayer Conservation Commission, c/o Office of the Board of Selectmen, Town Hall, One Main Street, Ayer, MA 01432. Proposals must be received at the above location prior to 12:00 p.m., Thursday, June 27, 2013. Postmarks are not acceptable. All bids will be publically opened in Ayer Town Hall during the posted Conservation Commission meeting on June 27, 2013.

Background / Context of Project

In addition to a portion of the Nashua River and five small brooks, the Town of Ayer is home to numerous small and large ponds that provide diverse recreational opportunities, wildlife habitat, and scenic value. Three of these ponds are Great Ponds (Sandy, Long, and Spectacle) that are federally required to have pollution control plans. In addition, Ayer falls within two Areas of Critical Environmental Concern (ACEC) – the Petapawag and the Sqannassit – designated by the State as priority sites for habitat conservation. Maintaining water quality in Ayer ponds is therefore a matter of significant concern.

The last time Ayer commissioned a baseline biological survey and recommendation plan was in 2005. Since then, three of the ponds (Sandy, Pine Meadow, and Flannagan) have been intermittently chemically treated for invasive aquatic vegetation. The Conservation Commission seeks to update its knowledge of the condition of Ayer ponds in order to best advise the Board of Selectmen, as well as the Ayer Dam & Pond Management Committee, on options and estimated expenditures for a 5-year management plan.

General goals include:

- Maintenance of water quality suitable for recreational purposes such as swimming, boating and fishing;
- Control of invasive species and maintenance of a diverse native community of plants and wildlife habitat in association with each pond, but not, in the case of some ponds, at densities which interfere with recreational pursuits.
- Review and comment on previous weed management RFPs, specifically with regard to monitoring means-and-methods and scope of work.

Project Description / Scope of Work

1. The Conservation Commission seeks an overall survey and assessment of the condition of the following ponds based on, but not limited to, field observations and water testing.

Pine Meadow Pond (aka Erskine Pond; aka Upper Flannagan Pond) (≈23 acres)
Flannagan Pond (aka Fletchers Pond) (≈ 80 acres)
Sandy Pond (≈ 68 acres)
Long Pond (≈ 43 acres)
Lower Long Pond
Balch Pond
Rock Meadow Pond (adjacent to Autumn Ridge area)
Plow Shop Pond (≈ 28 acres)
Grove Pond (≈ 68 acres)
Shaker Mill Pond

For each pond, where applicable, this should include, but not be limited to:

- Identification and mapping of “invasive” and “native” aquatic plant densities and distributions
- Physical, chemical, and bacteriological analysis of water, including but not limited to:
 - pH
 - Alkalinity
 - Turbidity
 - Nitrogen
 - Total Kjeldahl Nitrogen
 - Ammonia Nitrogen
 - Nitrate
 - Phosphorus
 - True Color / Apparent Color
 - Secchi disk clarity
 - Chlorophyll a
 - Specific conductance
 - Iron
 - Detergents
 - E.Coli and Fecal Coliform Bacteria
 - Temperature/dissolved oxygen
 - Water clarity measurements
 - Algae identification
- Samples shall be listed by water depth and locations in each pond.
- Limited fish and wildlife habitat survey
- Identification of significant sources of pollution entering ponds, including but limited to:
 - Stormwater and road run-off
 - Residential impact (i.e. fertilizer use, vehicle storage, rusting debris, yard waste, litter, pet waste)
 - Erosion concerns

2. The Commission also seeks a 5-year management plan for the control of nuisance aquatic vegetation in the following ponds:

Sandy Pond
Long Pond
Pine Meadow Pond
Flannagan Pond
Balch Pond

These recommendations can include suggestions for public outreach and education.

3. The Consultant shall provide all materials, labor and equipment needed to perform these surveys, which are to be completed during summer 2013. The Consultant shall provide documentation of observations and test results and prepare a detailed report on completion of this project.
4. Proposals in response to this RFQ should include an estimate of the cost to perform the assessments, analyze the results, make recommendations, and draw up a final report. This cost estimate should be broken down for each pond.

Questions and Addenda

Firms may contact Becky DaSilva-Conde, Ayer Conservation Administrator, at 978-772-8249 for additional information. In consideration to all respondents, no oral interpretations will be given as to the meaning of the specification documents or any part thereof. Every request for such a consideration shall be made in writing. E-mail inquiries to the Conservation Commission at conservation@ayer.ma.us no later than June 13, 2013. Based upon such inquiry, the Town may choose to issue an Addendum prior to June 21, 2013.

The Town of Ayer reserves the right to reject any and all responses to the RFQ, to waive technical or legal deficiencies, to accept any response to the RFQ that is in the best interest of the Town, and to negotiate the terms and conditions of any proposal leading to acceptance and final execution of a contract for services.

If you have any questions pertaining to the submittal and review process of this RFQ then please contact the Town Administrator at: 978-772-8210.

Qualifications Submission Requirements

Responses to this RFQ must be in a sealed envelope that clearly identifies the party/firm submitting the qualifications packet and is clearly marked "Comprehensive Pond Survey." An original and 7 copies must be submitted in this sealed format to Ayer Conservation Commission, c/o Office of the Board of Selectmen, Town Hall, One Main Street, Ayer, MA 01432. Proposals must be received no later than 12:00 p.m. on Thursday, June 27, 2013.

Submittal Format & Contents

Responses to this RFQ shall contain the following information:

1. Transmittal Letter
2. Description of Firm, Resources & Capabilities
3. Project Understanding: Demonstrate a clear and comprehensive understanding of the Town of Ayer, its ponds, and the proposed project to update a baseline biological survey and formulate a recommended 5-year management plan.
4. Project Approach: Develop a recommended approach for implementing the steps identified in

the Project Description. Additional steps or other approaches may be included, based on experience, to best meet the overall goal of the comprehensive survey of Ayer's ponds. At a minimum the following concepts should be included:

- Detailed assessment of each pond, its condition, its primary usage/s, its most significant challenges.
 - Methodology to be used, including means of testing and labs to be used.
 - Management recommendations in keeping with each ponds primary usage.
 - Estimated cost of assessment and recommendation plan per pond.
5. **Schedule and Commitments:** Provide a schedule detailing planned date(s) for observations and testing, completion of the survey, and issuance of final written report, including management plan.
 6. **Project Team:** provide an organizational chart identifying project team members, including any sub-consultants. Provide a narrative description of project team members and the role and responsibility they will have on this project, as well as past experience on similar projects. Include a resume for each project team member that identifies applicable project experience.
 7. **Project Descriptions and Experience:** the prospective Consultant shall provide the firm's relevant experience in performing comprehensive surveys of ponds and making management recommendations.
 8. **References:** provide the names and contact information for references for which the prospective Consultant has performed similar work. These references should be for projects completed by the staff with the greatest anticipated workload for this project. References should include a recently verified contact name and telephone number.

Evaluation and Selection

The Consultant shall have a minimum of five years experience in the field of aquatic resource management planning.

All proposals submitted in accordance with the requirements of this RFQ will be reviewed for completeness and responsiveness. Proposals from firms that do not meet the minimum qualifications above may be deemed non-responsive by the Town in its sole discretion.

Proposals shall be evaluated by the Town and ranked for each of the following comparative evaluation criteria as follows:

Criteria	Maximum Points
1. Project Understanding and Approach	30
2. Firm Resources and Capabilities	20
3. Experience in Aquatic Resource Management Planning	20
4. References	10
5. Cost Proposal	20
Total	100

Any proposal receiving an unacceptable rating for any single criterion will be considered unacceptable in all respects. Technical proposals will be ranked and evaluated on the following criteria.

1. Experience and qualifications of key project personnel to perform aquatic plant surveys/mapping, the chemical residue testing and reporting tasks required for this project. Specific college degrees held, and discipline, shall be provided for all key project personnel.
2. Technical approach for the project, thoroughness of the proposal, and probable success of the proposed baseline survey program.
3. Demonstrated knowledge and understanding of the scope as relates to The Town of Ayer's ponds.
4. Demonstrate satisfaction with previous similar work performed for other municipalities and associations.

The Town of Ayer will review the qualifications and may conduct interviews prior to Consultant selection. The Town reserves the right to reject any and all proposals under this RFQ, to waive technical or legal deficiencies, to make such investigation as it deems necessary to evaluate Consultant qualifications, and to accept any proposal that may be deemed in the best interest of the Town.

Based on the evaluation and ranking of the technical proposals only, the Town of Ayer will negotiate a contract with the top-ranked Consultant, based on a review and justification of costs included in the Consultant's proposal. Should the Town and the Consultant not be able to reach an agreement, the Town would then negotiate with the remaining firms in order of their ranking until a suitable agreement is reached.

All required information requested in the RFQ will be utilized to evaluate each Consultant. The contract will be awarded within sixty (60) calendar days from opening of the proposals.

Required Information

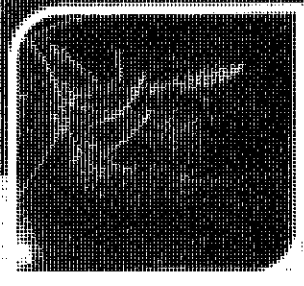
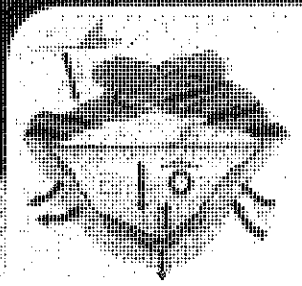
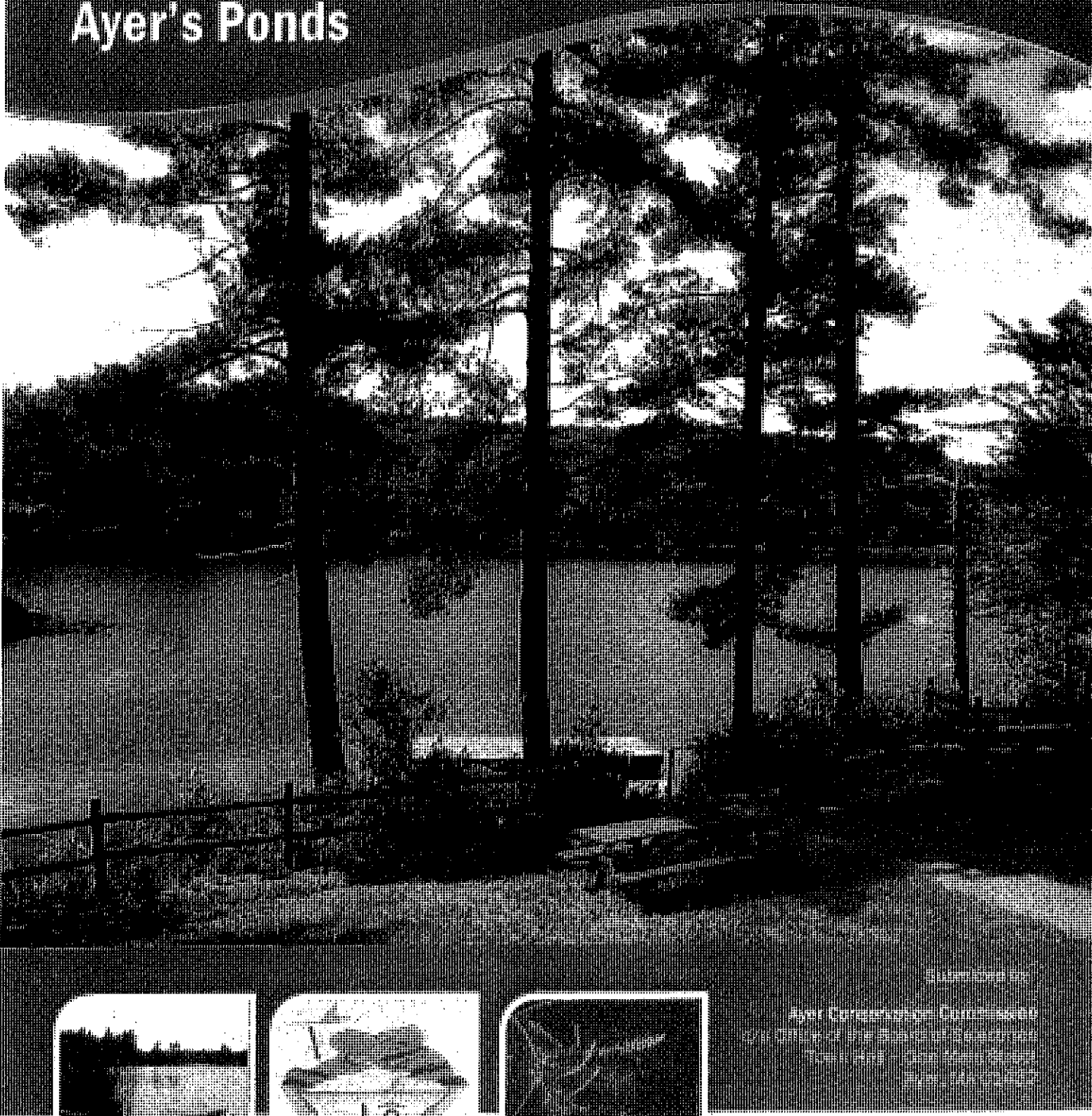
Eight copies of the Statement of Qualifications (SOQ) must be submitted and the following information is required in each Consultant's qualifications and proposal package:

1. Name, address, email address, and telephone number of the Consultant and the principal contact person.
2. Name, address, email address, telephone number, and qualifications of all personnel to be associated with this project, if applicable.
3. Type of organization (i.e. individual, corporation, partnership, joint venture, etc.). Include a list of the principals.
4. List of municipal clients in Massachusetts in the past three years. Include the following information:
 - a. Location
 - b. Scope of involvement
 - c. References with name, title, and telephone numbers
5. Certifications that all personnel associated with this project are licensed to undertake the task.
6. Insurance certificate showing coverage for General Liability, Automobile and Workman's Compensation (statutory). It is the vendor's responsibility to purchase and maintain adequate insurance to protect the vendor and Town for all claims.

Biological Survey, Assessment and
Management Recommendations for

Ayer's Ponds

Revised Proposal
October 21, 2013



Geosyntec[®]
consultants

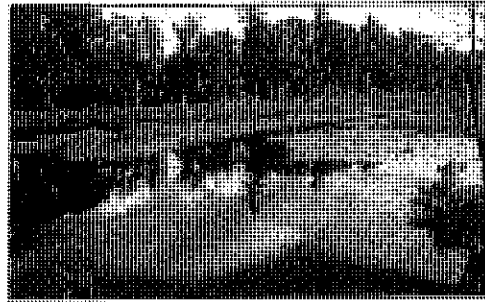
engineers | scientists | innovators

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SECTION 1: INTRODUCTION

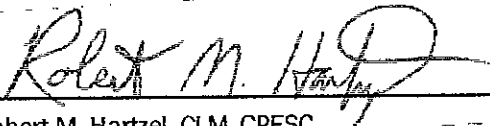
Geosyntec Consultants is pleased to submit this revised proposal to the Town of Ayer Conservation Commission for assessment and development of a management plan for six ponds. This revised proposal is based on meeting between Geosyntec and the Conservation Commission on September 30, 2013, during which our original proposal (dated June 27, 2013) was discussed. We look forward to working with the Town on this project.



Grove Pond

Contact Information:

Contact: Robert M. Hartzel, CLM, CPESC
Phone: 978.206.5771
Email: rhartzel@geosyntec.com
Address: 289 Great Road, Acton, MA 01720



Robert M. Hartzel, CLM, CPESC
Associate

10/21/2013

Date

SECTION 2: QUALIFICATIONS

2.1 QUALIFICATIONS OVERVIEW

Our project team has outstanding experience in all of the technical areas specified for the Ayer pond assessment project, including lake and watershed management, innovative stormwater engineering, and public education/outreach. Geosyntec's proposed project manager, Mr. Robert Hartzel, is a Certified Lake Manager (CLM), as certified by the North American Lake Management Society. Under Mr. Hartzel's guidance, our project team has completed a broad range of lake and watershed management plans in New England, as presented in Section 6 (Related Experience). Our lake management clients include the Massachusetts Department of Conservation and Recreation, New Hampshire Department of Environmental Services, Massachusetts Water Resources Authority, and numerous municipalities and private lake associations.



Sandy Pond

Geosyntec is also a leader in the design of green infrastructure and Low Impact Development (LID) stormwater practices. As shown in Section 6, we have provided engineering and construction support for numerous LID stormwater retrofits in New England lake watersheds. Geosyntec's proposed Technical Lead for engineering, Dr. Robert Roseen, P.E., previously served as Director of the University of New Hampshire Stormwater Center and is nationally recognized as a leading expert on LID stormwater management techniques. A summary of key Geosyntec project staff is provided below.

2.2 KEY PROJECT STAFF



Robert Hartzel, CLM, CPESC

(Project Manager and Technical Lead for Limnological and Biological Investigations)

Mr. Hartzel has twenty years of experience as a project manager for lake and watershed assessment and restoration projects. He is a Certified Lake Manager (CLM), a Certified Professional in Erosion and Sediment Control (CPESC #3453), and professional wetland scientist. As Lakes & Ponds Program Coordinator for the Massachusetts Department of Environmental Management from 1992-1998, Mr. Hartzel conducted lake assessments and developed management plans for lakes throughout the State Forests and Parks system. As a consultant, Mr. Hartzel has conducted numerous lake diagnostic studies, watershed management plans and restoration projects. His experience includes trophic state modeling, dredging, aquatic vegetation survey, biological investigations, and development of management plans for control of nuisance aquatic vegetation and algae. He has conducted numerous watershed planning projects, including LID stormwater retrofits.



Robert Roseen, Ph.D, P.E., D.WRE (Engineering Technical Lead)

Dr. Roseen served as the Director of the UNH Stormwater Center for eight years prior to joining Geosyntec in 2012. Dr. Roseen has extensive experience with stormwater design and implementation throughout New England, including project sites in New Hampshire and Maine. His clients have included numerous New Hampshire municipalities and the Maine Department of Environmental Protection. His areas of expertise include water resources engineering, stormwater management (including low impact development design), and porous pavements. He also provides expertise in flood studies, build-out analyses, hydrology and hydraulics evaluations, stream restoration and enhancement alternatives, dam removal assessment, groundwater investigations, nutrient and TMDL studies, remote sensing, and GIS applications.



Daniel Bourdeau, P.E., CPESC, CPSWQ

Mr. Bourdeau is a Registered Professional Engineer experienced in civil, environmental and water resources engineering. Mr. Bourdeau has expertise in hydrologic, hydraulic and storm water quality modeling as well as development of design plans for stormwater best management practices. Mr. Bourdeau served as lead engineer for a variety of recent lake watershed restoration projects in New Hampshire (Rust Pond, Cobbett's Pond, Pawtuckaway Lake, and Baboosic Lake) and Massachusetts (Blue Hills Pond Dredging, Dudley Pond, Hamilton Reservoir, Congamond Lakes, Lake Shirley, and Mill River). These projects have included stream restoration, constructed wetlands, bioretention, infiltration facilities, particle separator devices, water quality swales and other BMP designed to reduce sediment and phosphorus loading.



Renee Bourdeau, Water Resources Engineer

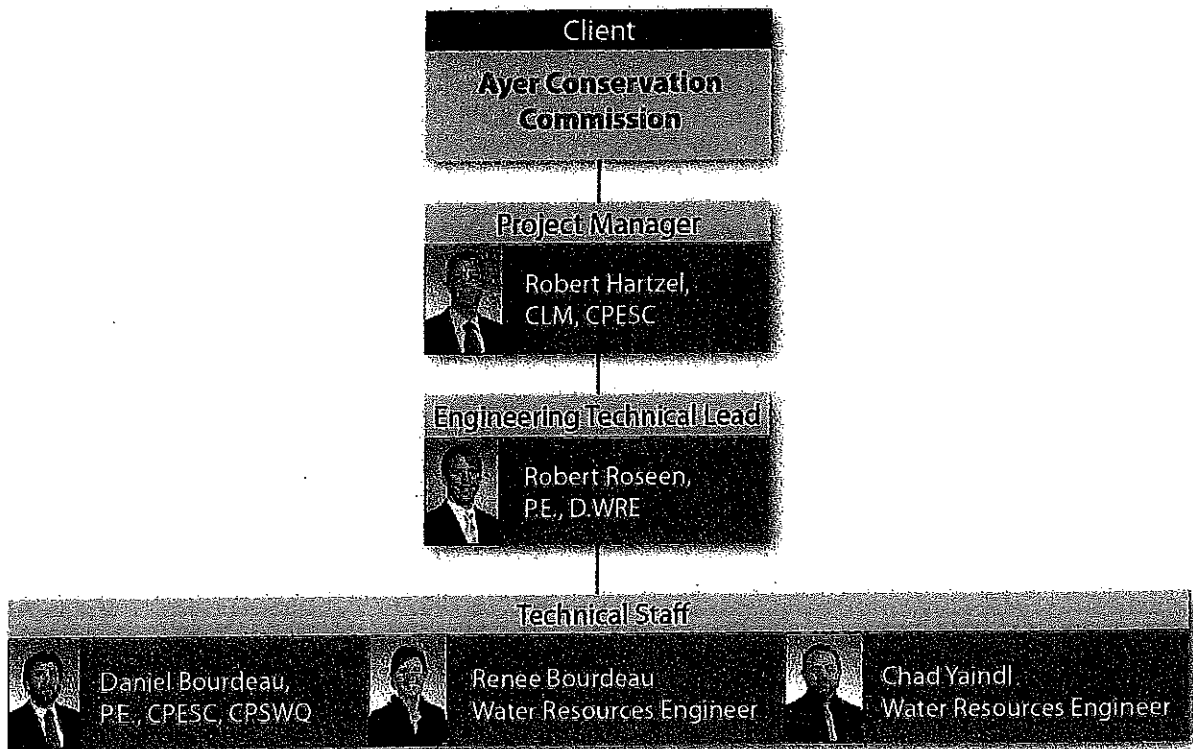
Ms. Bourdeau is experienced in civil engineering, water resources engineering and hydrologic monitoring /modeling. She has provided permitting, monitoring, design, and construction oversight of stormwater best management practices. Ms. Bourdeau served as the lead engineer for the 2012 LID stormwater improvements at Mirror Lake in Tuftonboro, NH. Ms. Bourdeau lead database management and data analysis support for the USEPA/ASCE Stormwater Best Management Practices International Database and was the lead engineer for the Partridgeberry Place LID monitoring and modeling case study funded by the USEPA.



Chad Yaindl, Water Resources Engineer

Mr. Yaindl is experienced in water resources engineering, watershed modeling, stormwater BMP design, site survey, Computer Aided Design (CAD) and Geographic Information Systems (GIS). He has particular expertise in developing pollutant loading budgets and trophic state modeling for lakes. Mr. Yaindl uses his GIS capabilities to perform land-use based pollutant loading models, impervious cover analyses, and prepare stormwater infrastructure maps. Mr. Yaindl served as lead technical staff for several recent lake management projects, including Cobbett's Pond Watershed Plan, Barrett Pond Management Plan, Mirror Lake Watershed Management Plan, Rust Pond Watershed Assessment and Niles Pond Management Plan.

2.3 PROJECT ORGANIZATIONAL CHART

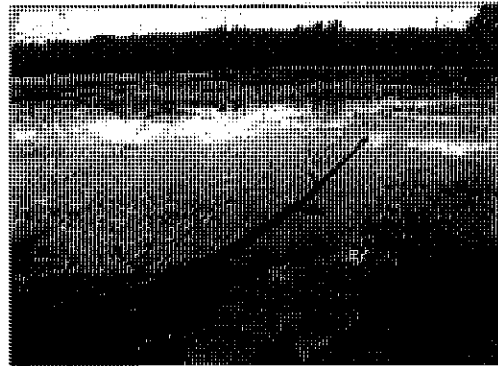


SECTION 3: SCOPE OF WORK

As stated in Section 1, we understand that the Town has not yet determined the level of funding that will be available for this project. The Scope of Work below provides a general approach that can be easily adapted based on budget and further discussion with the Town to refine the project goals.

Geosyntec will conduct field investigations and water quality sampling to support an assessment of the following six ponds:

- Pine Meadow Pond
- Flannagan Pond
- Sandy Pond
- Long Pond
- Balch Pond
- Grove Pond



Flannagan Pond

TASK 1: BASELINE WATER QUALITY AND AQUATIC VEGETATION SAMPLING

1.1 Aquatic Vegetation Surveys

Geosyntec will conduct aquatic vegetation surveys of the ponds listed above, to document the species composition and abundance of the plant communities within the ponds. The vegetation surveys will place special emphasis on documenting the distribution and abundance of any invasive, non-native aquatic species that are observed. The vegetation surveys will be conducted during the summer of 2013 (pending contract authorization). The vegetation surveys will be conducted from a boat provided by Geosyntec. Plant species will be identified by visual inspection and an aquatic vegetation grappling hook used to sample submerged vegetation. All plant species identified will be recorded in tabular form on a tally sheets that will be provided as part of the project report. Geosyntec will record the position of each sampling location with a Global Positioning System (GPS) device. A running documentation of dominant plant(s) in representative areas throughout the ponds will also be recorded and this information will be mapped with a GPS unit. Position data will be downloaded to a geographic information system (GIS) for production of an aquatic vegetation survey map. For each vegetation sampling location, Geosyntec will collect and record the following data, consistent with the Massachusetts DEP protocol for aquatic vegetation survey:



Variable Milfoil

- Macrophyte community composition, including species identification and assessment of dominant species at each sampling station;
- Vegetative cover (estimate of the percent aerial coverage of the pond bottom); and
- Vegetation biomass based on growth density and height in the water column.

Geosyntec's proposed project manager, Bob Hartzel, will conduct all vegetation surveys. Mr. Hartzel has conducted well over one hundred aquatic vegetation surveys in New England lakes and has developed numerous aquatic vegetation field guides.

1.2 Water Quality Sampling

The Request for Qualifications provided an extensive list of physical and chemical water quality parameters for sampling in each of the ten ponds. Although each of the listed parameters can provide useful information, we recommend that the Ayer Conservation Commission work with the selected consultant to develop a focused sampling plan that will provide the most useful data within the context of the project budget and data collection objectives. As a first step in this process, and for budgeting purposes, below is a list of recommended parameters for sampling at the deep spot location and primary tributary inlet of each pond:

- Temperature/dissolved oxygen(*in-situ*)
- Specific conductance.(*in-situ*)
- pH (*in-situ*)
- Secchi disk clarity (*in-situ*)
- Total Phosphorus (lab)
- Ammonia Nitrogen (lab)
- Chlorophyll-a (*lab, deep hole only*)



Pine Meadow Pond

In-situ measurements will be taken with a YSI multi-parameter sampler (or comparable unit). Grab samples taken for laboratory analysis will be sent to Alpha Analytical Laboratory in Westborough, MA. In-situ measurements will be taken throughout the water column at 0.5-meter intervals. Nutrient samples will be obtained with a Kemmerer sampler at the surface, middle and near the bottom of each pond. Chlorophyll-a samples (an indicator of algal abundance) will be obtained as a surface grab sample. For the sampling list provided above, lab and equipment fees for each sampling event would cost \$360 per pond.

Geosyntec will provide a written summary of the water quality results for each pond, including an explanation of each parameter and its significance in providing baseline information about the pond and its ecological health. This assessment will include an evaluation specific to fish habitat of data collected as part of this project, including the temperature/dissolved oxygen profile, bathymetry, plant community, etc.

TASK 2: POLLUTANT LOADING ANALYSIS

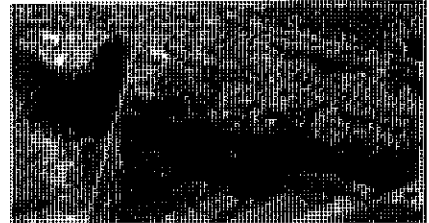
2.1 Pollutant Source Assessment

a. Field Investigation/BMP Recommendations

Geosyntec will conduct a field investigation of the proximal watersheds for each pond. The goal of the field investigation will be to document pollutant sources and potential sites for improvements to reduce pollutant loading to the ponds. Opportunities for improvements may include stormwater management practices, such as retrofits to existing stormwater structures, installation of Low Impact Development (LID) stormwater practices to increase infiltration and nutrient attenuation, and stabilization practices to mitigate area of ongoing erosion contributing sediment to the pond or its contributing storm drainage structures. Other notable pollutant sources within residential areas will also be documented (e.g., vehicle storage, yard waste, litter, pet waste). The information gathered during the watershed survey will be incorporated into a prioritized list of watershed improvements that will be included in the final project report. As presented in Section 5 (Related Experience), Geosyntec has recently conducted very similar field assessments and stormwater BMP prioritization for a variety of lakes and ponds in the region.

Geosyntec will provide a written description for each recommended BMP, including site photos, a description of existing and proposed conditions, and other relevant considerations such as permitting issues, land ownership/easement issues, etc. We will also provide a map showing the location of each proposed BMP.

An example Geosyntec rendering of a proposed bioretention facility at a lakeside parcel is provided on the following page. Geosyntec uses highly detailed renderings to help clients and public stakeholder groups visualize proposed BMPs in familiar settings.



Plow Shop Pond (left) and Grove Pond

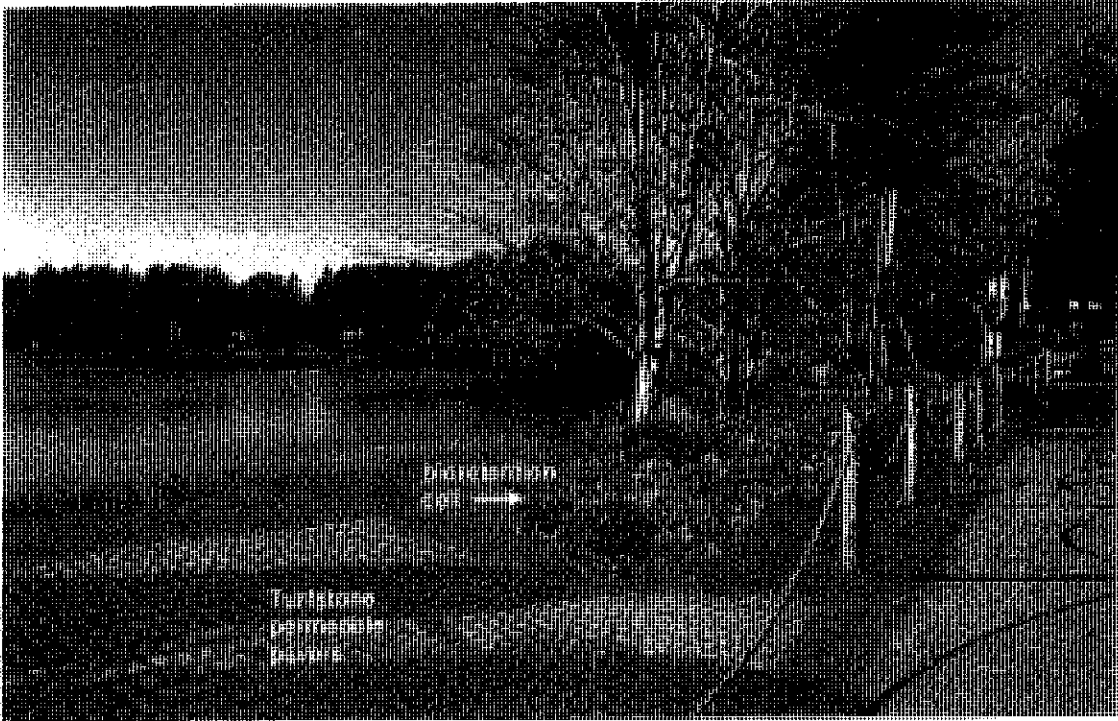


Balch Pond

Example Stormwater BMP Rendering



Existing Site Condition: This potential stormwater improvement site includes an asphalt-paved parking area and roadside grassed adjacent to a lake shoreline.

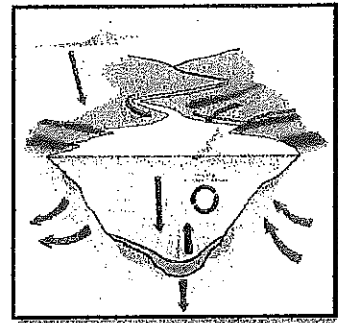


Proposed Improvements: Low impact development (LID) practices that could be installed at this site include a bioretention cell and permeable pavers in the parking area (Turfstone shown as an example product).

2.2 Land Use Assessment/Phosphorus Loading Budget and Model

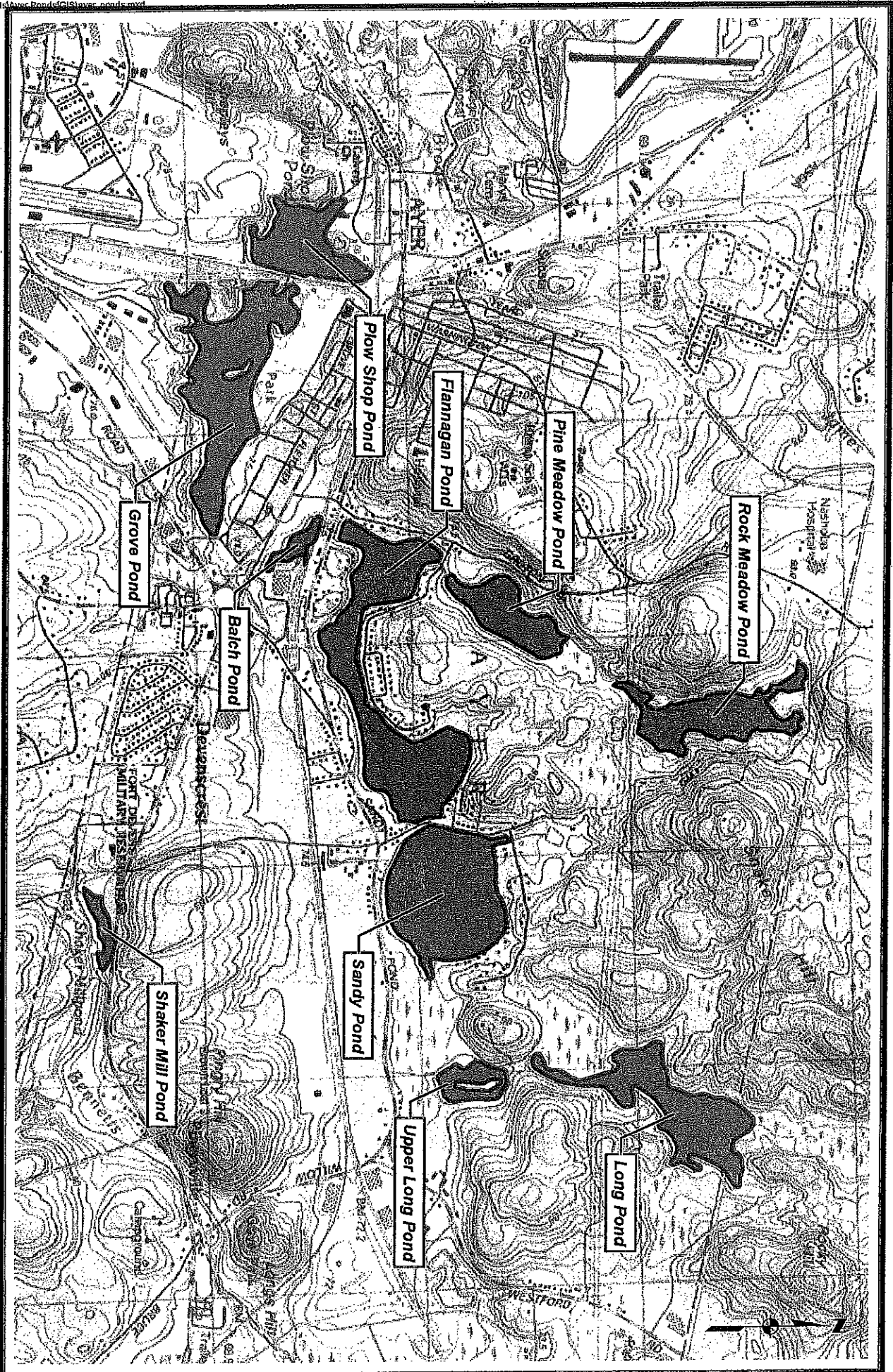
An important goal for pond management planning should be to understand and quantify the water quality benefits of any proposed improvements. The suite of recommended improvements developed in Task 2.1 will reduce pollutant loading to the ponds, and the direct reduction in load can be easily estimated. However, understanding the response of the ponds to these load reductions will require a comprehensive nutrient budget and in-pond models.

Nutrients, and phosphorus in particular, enter the pond through a variety of pathways. Phosphorus can be transported to the pond via overland flow during storm events, and it is this pathway that improvements developed in Task 2.1 aim to treat. Other pathways include phosphorus in groundwater flow (e.g. from septic systems), aerial deposition, and internal recycling. Understanding the magnitude of any proposed improvements relative to these other sources of phosphorus is crucial in determining the overall benefits to pond water quality.



To begin to address these issues, and as budget allows, Geosyntec proposes the following pond modeling program:

- Geosyntec shall provide a watershed delineation of the Ayer Pond watersheds, and identify current land uses in the watersheds. The watershed will be delineated using 2010 topographic Light Detection and Ranging (LiDAR) imagery available through MassGIS and ArcGIS Spatial Analyst Hydrology techniques. All information shall be provided in a GIS format approved by the Town of Ayer. Draft GIS maps depicting the ponds and their contributing watersheds have been prepared as part of this proposal and are provided below.
- Quantify sources of phosphorus, including stormwater, groundwater, and aerial deposition. Geosyntec will use a land-use based approach to quantify the external phosphorus load due to stormwater.
- Combine the phosphorus budget with an in-lake model, such as the Vollenweider model, to predict in-lake phosphorus concentrations. Phosphorus measurements collected during Task 1.2 will be used to confirm or calibrate this model. The model can then be used to draw conclusions regarding the overall benefits of the improvement projects and other pond management efforts to pond water quality.



Geosyntec
consultants

engineers | architects | interior
ACTION, MASSACHUSETTS



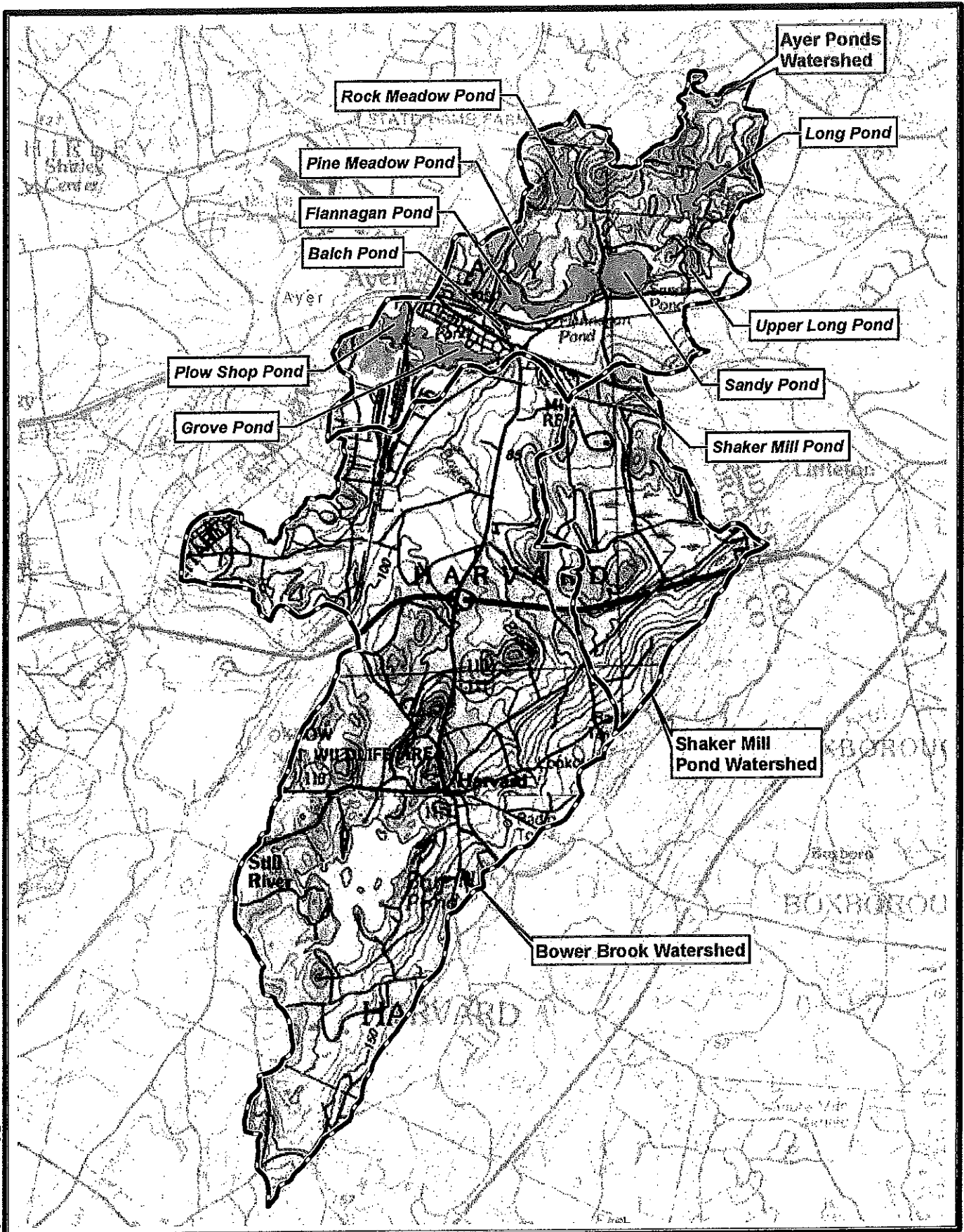
Ayer Conservation Commission
Survey of Ayer's Ponds

6/17/2013



AYER PONDS

Figure 1



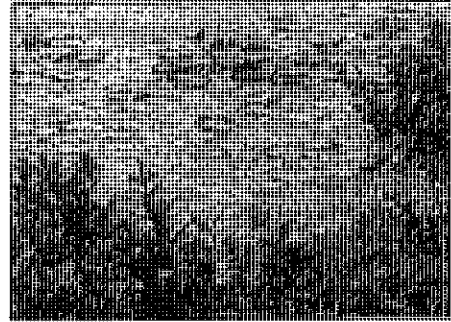
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TASK 3: AQUATIC VEGETATION MANAGEMENT PLAN

Based on historical information and the data collected under Task 1, Geosyntec will develop 5-year management plan for the control of nuisance aquatic vegetation in the following ponds:

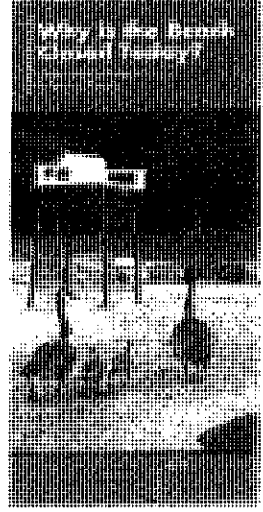
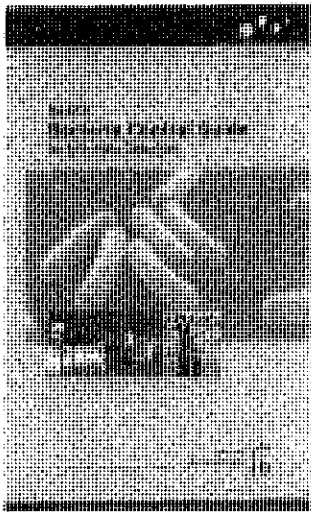
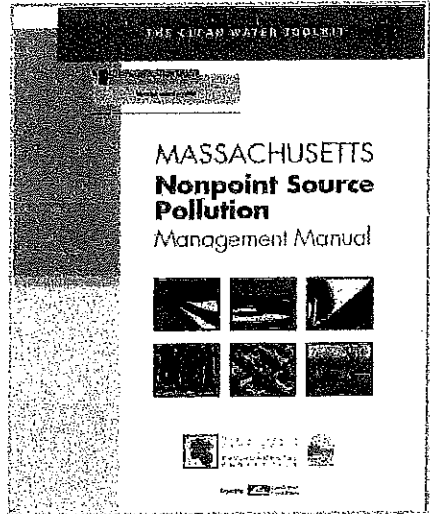
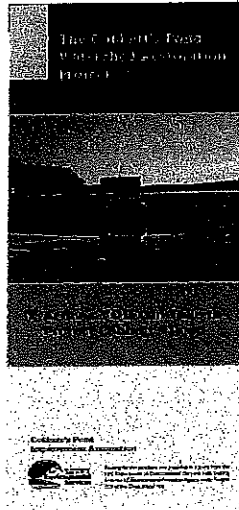
- Sandy Pond
- Long Pond
- Pine Meadow Pond
- Flannagan Pond
- Balch Pond



White water lilies on Flannagan Pond

As shown in Section 6 (Related Experience) Geosyntec has developed numerous aquatic vegetation management plans for towns, lake associations, and state agencies. We are also frequently hired to provide independent, third-party review of vegetation management plans developed by contractors that provide herbicide application and mechanical vegetation control services.

In addition to in-pond vegetation management techniques, Geosyntec will also provide recommendations related to public outreach and education. As shown below, we have prepared a wide variety of educational brochures and manuals related to lake/watershed management, including lake-specific field guides to aquatic plants such as the "Field Guide to the Aquatic Plants of Quabbin Reservoir". These field guides provide a useful tool to assist in volunteer monitoring efforts.



TASK 4: GROVE POND - SECONDARY CONTACT RECREATION RISK EVALUATION

Geosyntec will perform an exposure and risk evaluation to determine whether casual contact with Grove Pond surface water and sediment presents an exposure concern.

The evaluation will estimate intake associated with reasonable anticipated uses of the Pond such as

- Direct contact with surface water and sediment during boat launching;
- Incidental contact with surface water during on-water (boating); and
- Direct contact with shoreline sediments during non-aquatic Park use.

Based on our discussions with the Town, our budget for this task assumes that sufficient sediment constituent data exists to allow for the exposure and risk evaluation to be conducted without additional sampling. Pending receipt of previous reports and associated sediment data from the Town, we will confirm if this assumption is correct or provide a revised budget to reflect any additional budget required for supplemental sediment sampling and laboratory analyses.

Exposure (intake) will be expressed as daily chemical doses using the risk characterization methodology established under the Massachusetts Contingency Plan (MCP) and related guidance. Per the MCP, concentrations of metals and other elements (such as arsenic) are compared with background concentrations. Chemicals present at background levels are assumed to represent no concern and are not considered further.

For chemicals that are evaluated further, risks under the MCP are expressed as a lifetime risk of cancer for carcinogens or likelihood of intakes over acceptable daily reference limits for noncarcinogens. The MCP acceptable excess lifetime cancer risk is one in 100,000.

Due to very conservative nature of risk toxicity assumptions, routine exposures or those associated with background conditions can often result in "unacceptable" risks. In those cases, it may be useful to compare the predicted exposures to exposure related to other sources, such as typical air concentrations or dietary intake. These types of approaches can provide context for risk estimates by putting exposures into perspective.

Geosyntec will prepare a brief draft report describing the methods, assumptions and results. Following comments and discussion with the Conservation Commission, a final report will be issued.

SECTION 4: COST PROPOSAL

Tasks	Cost
1: Baseline Water Quality and Aquatic Vegetation Surveys	\$19,932
2: Pollutant Loading Analysis	\$43,200
3: Aquatic Vegetation Management Plan	\$12,120
4: Grove Pond - Secondary Contact Recreation Risk Evaluation	\$7,780
Total:	\$83,032



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for 9/30/2013 – Approved 10/10/2013

Location: Ayer Town Hall, 1st Floor

Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT), Lee Curtis (LC), Becky DaSilva-Conde (CA, Conservation Administrator), Jessica Gugino (JG, Clerk)

7:07 PM – Open Meeting

- This Special Meeting was called by ConCom for the purpose of discussing the proposal for a comprehensive study / biological assessment of Ayer's ponds with Robert Hartzel, of Geosyntec Consultants.
- Also present were members of the Pond & Dam Management Committee (PDMC): Don Rzasa, Chuck Miller, Mark Wetzel, and Marina Giovannini.
 - Takashi Tada, present for ConCom, is also ConCom's member representative on PDMC.
- BD opened the meeting by laying out several of the issues that were up for discussion:
 - Given limitations in funding, ConCom and PDMC are interested in narrowing the scope of the study so that money is spent most effectively, and the kind of information sought for each pond will actually be helpful.
- Mr. Hartzel said the initial RFQ was challenging to respond to because the 10 ponds cited have very different characteristics, as well as uses, and experience a range of runoff conditions.
 - The fact that they are all interconnected makes things even more complex.
 - Geosyntec was interested in working with the Town to better calibrate the scope of investigation so that limited funding is spent most effectively on a pond by pond basis.
- Mr. Hartzel noted some of the ponds have high recreational use; some have houses lining their shores and allow for some recreational use; and some are water bodies for which it would be nice to have information but where such information would not be "mission critical" in terms of affecting management of the pond or changes in access.
 - Proper management of ponds ties into a number of issues, property values and the enjoyment of habitat among them.
- Mr. Hartzel talked of the need to strike a balance between long-term practices (i.e. nutrient control) and short-term fixes (i.e. use of chemical herbicides, hydroraking).
 - The danger of concentrating only on short-term fixes leads to the risk of creating a repeating cycle that, over time, makes things worse.
- In looking at the health of a pond, it is important to understand:
 - The in-pond water chemistry;
 - What's coming into the pond from the watershed (i.e., stormwater, fertilizer runoff, pollutants)
 - What is recycled from the sediments every year to contribute to the 'nutrient pulse' that fuels vegetative growth.
- Generally ponds tend to be either algae-dominated or large-plant (macrophytic) dominated.
- The goal is to figure out how much comes from 'outside' the pond and how much comes from recycling what is already there – and then to figure out how to manage things to arrive at a reasonable situation for each pond.
- BD gave background on Ayer's pond management history.
 - ConCom holds an OOC for doing weed treatments on some of Ayer's ponds.
 - The 2005 comprehensive study offered a 5-year plan for weed treatment.



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for 9/30/2013 – Approved 10/10/2013

- Gaps in treatment due to weather, the economic crash, and changes in support from the Board of Selectmen (BOS) meant management goals were not met or sustained.
 - In response to petitioning by the Friends of Flannagan Pond, however, the BOS created the Pond & Dam Management Committee in 2011.
-
- Mr. Miller said a comprehensive study and analysis of baseline conditions would help to clarify or dispel common perceptions about the cause of problem weed growth (i.e. use of lawn fertilizers).
 - Mr. Hartzel said the kind of model Geosyntec develops should indicate percentages of impact from run-off into the ponds versus recycled nutrients (“the internal load”) from existing sediment.
 - Given the reality of limited funding, the discussion turned to going through the original RFQ and paring down the scope of work to what is both necessary and effective.
 - Aquatic Vegetation Surveys
 - This would look at the distribution and abundance of invasive, non-native aquatic species as well as overabundance of native species in some instances.
 - This was deemed straightforward without need for adjustment.
 - Water Quality / Chemistry Sampling
 - While the RFQ provided an extensive list of parameters for testing, Mr. Hartzel said this could be significantly trimmed.
 - A focused sampling plan should include information on depth, water temperature, water clarity, and dissolved oxygen.
 - Geosyntec recommends lab testing for:
 - Total Phosphorus
 - Lab testing for Total Phosphorus is common but if Ayer ponds don't have septic drainage issues, then Mr. Hartzel said this test wasn't as important.
 - Ammonia Nitrogen
 - Chlorophyll-a
 - Testing for Chlorophyll-a is relatively expensive but is an important trophic status index and therefore necessary to do.
 - Algae Identification
 - Mr. Hartzel said algae problems tend to be sporadic.
 - It is more important to be responsive when an algae bloom occurs and to perform testing at that point if it creates a problem in a particular pond.
 - As an overarching assessment tool, algae testing is not worth doing.
 - Mr. Hartzel suggested the Town work to develop a protocol for recognizing and dealing with an algae bloom in areas where recreational activities take place, and contacting the Board of Health if necessary.
 - Fish and Wildlife Habitat Survey
 - Mr. Hartzel said it is impossible to show up one day and get a realistic general assessment of fish and wildlife.
 - Either one should do a fullblown fish and wildlife survey, which is very costly, or not bother.
 - Indirectly one can better derive information about habitat via water quality testing.
 - Pollutant Source Assessment
 - Since watersheds can be immense, Geosyntec recommends concentrating on proximal watersheds, roads and rings of roads closer to the ponds.



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for 9/30/2013 – Approved 10/10/2013

- This is where there is less chance for attenuation of pollutants, and where some may flow directly into ponds.
 - This assessment would allow Geosyntec to determine what the pollutant load is for each pond and estimate what sort of pollutant load reduction would be possible if specific measures were taken.
 - Such measures could include rain gardens and other small-scale infiltration projects.
 - Mr. Hartzel said the goal of a watershed reconnaissance is to:
 - Identify Best Management Practices (BMPs) for reducing pollutant loads;
 - Lay out the cost of BMPs;
 - Estimate the cost-effectiveness of BMPs for the amount of reduction to be sought.
 - Such information then becomes the basis for grant-applications for State grant funding (i.e. Section 319: The Nonpoint Source Competitive Grants Program).
- Funding sources for a comprehensive study were discussed.
 - Mr. Hartzel said there is very limited grant funding available for performing studies and what funding is available is very competitive.
 - More grant funding is available for actual implementation projects after a study has been done.
 - Geosyntec would be able to help with such grant applications.
 - Mr. Miller said that after a study was done, when moving on to implementation of a management plan, maintenance of designated ponds should be part of the Town's annual operating budget.
 - Use of UDAG funds should also be discussed with the BOS.
 - Mr. Wetzel mentioned the possibility of the Stormwater Enterprise Fund being a future source of funding.
 - All those present agreed on the trickiness of Town politics, but that there was a need for a longterm plan and equally the need to seek broader consensus and support from the Town as a whole.
 - In terms of grant applications, Mr. Hartzel said that a well-written proposal includes attention to implementation projects, public education and outreach, and plans for monitoring.
 - BD asked if Geosyntec also does assessments of dams.
 - Mr. Hartzel said they have that capacity but it is a specialized subset of civil engineering.
 - Geosyntec would probably sub it out.
 - Mr. Wetzel said the Town already has a good understanding of the condition of its dams.
 - The real question is whether there is agreement as to spending the money to do what needs to be done.
- BD asked if there was anything significant missing in ConCom's RFQ.
 - Mr. Hartzell said no, it was more the need to fine-tune the RFQ to meet the reality of limited budgets.
- Discussion moved to looking at the list of 10 ponds in the RFQ and whether some of them could be eliminated from a comprehensive study.
 - Upper Long Pond, which is on private property, was eliminated.
 - Plow Shop Pond, currently undergoing dredging by the Army, was eliminated.
 - Rock Meadow Pond, a wetland system in natural flux because of beaver activity, was eliminated.
 - Shaker Mill Pond was also eliminated.



Town of Ayer Conservation Commission

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- Sandy Pond, Long Pond, Flannagan Pond, Pine Meadow Pond, and Balch Pond would be the focal points of the study.
- Grove Pond was the subject of extended debate as to whether it should be eliminated or included.
 - The Town's wellfield is on the eastern side of the pond where the water quality is better than the western side.
 - Pollutants from an old tannery, among others, have left contaminated sediments in Grove Pond.
 - Mr. Wetzel said the water quality of the pond has not affected the water quality in the wells.
 - However, it was still a good idea to model BMPs for property around the pond.
 - Pirone Park also abuts Grove Pond.
 - John Canney, from the audience, asked if it was possible to expand the park by using fill to reduce the size of Grove Pond.
 - Mr. Hartzel noted that dredging projects are very costly and take 10-15 years just to launch.
 - BD said it would be extremely difficult to get permits from the State for such a project.
 - There was also a huge problem with exposing contaminated sediments to the air.
 - CA noted that the Town's Parks & Recreation Department has expressed frequent interest in expanding recreational activities on Grove Pond (i.e. boating) accessible via the park.
 - CA also noted the difference in health impacts experienced by children with less developed immune systems than adults when exposed to environmental pollutants.
 - For this reason, it would be useful to include Grove Pond in the study to better understand what can or cannot be done.
 - TT asked if Geosyntec would be able to perform a risk-assessment / liability analysis of Grove.
 - Mr. Hartzel said Geosyntec has people who are expert in this, but that it is a very different kind of question to ask than what was outlined in the RFQ.
 - BD asked Mr. Hartzel to put a number to the cost of a risk assessment.
 - Mr. Miller suggested a baseline study of the water quality in Grove and its risks, recognizing the particular history around this pond, could at least point to recommendations for further study, and associated costs, that would guide next steps.
- BD summed up the discussion thus far:
 - Four ponds were eliminated from the study and an additional element – risk assessment on Grove Pond – was to be added.
- Mr. Hartzel talked of the need to do morphometric modeling of the depth and shape / contours of the ponds to be studied.
 - This forms the basis for determining important data such as the flushing rate of each pond.
 - Contour and depth data can be obtained through use of a handheld sonar unit and GPS data to set up a grid.



Town of Ayer Conservation Commission

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Minutes for **9/30/2013** -- Approved 10/10/2013

- Mr. Hartzel agreed that the cost for this kind of modeling could be reduced if the 'field reconnaissance' was performed by volunteers.
- The goal of the study is produce accurate models of the state of each pond selected, and to lay out management options.
 - Mr. Hartzel underscored the distinction between short-term fixes and long-term goals.
 - Geosyntec's modeling would point to the pros and cons of taking different paths.
 - As an example, a short-term attempt to control an overgrowth of native vegetation (i.e. water lilies) could lead, long-term, to their replacement with invasive species, creating a bigger problem down the road.
- The cost estimates cited in Geosyntec's proposal were reviewed.
 - The cost per pond for baseline water quality assessment was \$2952;
 - The cost per pond for pollutant loading analysis could range from \$2800 to \$7200.
 - Mr. Hartzel said the higher cost includes the more detailed mythometry such as morphometric modeling.
 - It was agreed that the kind of data members wanted in this study would leave the cost per pond at \$7200.
 - The cost per pond for a management plan was \$2424.
 - The funding needed for the study of the six ponds specified would be \$75-76,000.
 - This number would need to be readjusted with the new numbers reflecting a risk-assessment of Grove Pond.
- Next Steps:
 - Mr. Hartzel said the optimal time for studying the ponds would be in July and August.
 - It was decided that ConCom and PDMC would delay presenting a proposal to the Town until Spring Town Meeting 2014.
 - BD thought this would provide an opportunity to find funding from other sources in the meantime, so that the amount asked for by a Town Meeting vote would be lessened.
 - Mr. Hartzel was asked to provide a revised proposal that eliminated specified ponds from the study and included changes to the cost for Grove Pond.
 - ConCom will meet jointly with PDMC at their 10/21 meeting.
 - Mr. Hartzel was asked to submit a revised proposal, in PDF format, prior to that date.
 - CA will circulate the proposal to members ahead of the 10/21 meeting.
 - ConCom and PDMC will then meet with the BOS to discuss what commitments the BOS will make toward funding and supporting a comprehensive study.
- **9:33 PM – Adjourn Meeting**
 - GB moved to adjourn; JG 2nd.
 - Motion approved unanimously.



TOWN ADMINISTRATOR'S REPORT

1. Appointment to the COA Board of Directors

- At the request and recommendation of Sister Paula McCrea, Chair of the Ayer COA, I am recommending Ms. Lisa White for Appointment as a Member of the COA Board of Directors to fulfill Ms. Hottle's unexpired three-year term (July 1, 2012 to June 30, 2015) (See Attached Letters)

2. Old Central Fire Station RFP Review Process

- The Town of Ayer has received two RFPs (requests for proposals) for the sale of the Old Central Fire Station. The RFPs have been opened and reviewed for completeness and correctness to form in accordance with MGL Chapter 30B. Additionally, per MGL Chapter 30B, the actual RFPs are not made public until the completion of the evaluation process. Attached is a rating sheet for each Selectman to complete individually as well as instructions for doing so. Pursuant to MGL Chapter 30B, the price offered by each RFP is not to be reviewed until the completion of the rating of each proposal. Additionally, the BOS may opt to conduct interviews of each firm and may enter into Executive Session ONLY for the specific purposes on negotiating/bargaining the price offered by the selected RFP.
- It is recommended that the BOS complete their rating sheets and decide if they want additional interviews/presentations as well as to select a date to view the price offered (April 1, 2014 BOS Meeting recommended) to determine whom to award the RFP to. (See Attached RFPs (BOS packets only); Rating Sheet; and Original RFP)

3. Request to Declare a Public Hearing for the FY 2015 Water and Sewer Rates

- On Wed, March 19, 2014 the Water and Sewer Rate Review Committee met and is prepared to issue recommendations to the BOS regarding the Water and Sewer Rates as well as their report.
- It is respectfully requested that the BOS declare a Public Hearing for the FY 2015 Water and Sewer Rates to be held on Tuesday, April 15, 2014 at 7pm at Town Hall to conduct the Public Hearing as part of the BOS Meeting. The Review Committee will make a brief presentation and provide its recommendation(s) and report at that time.

4. Request to Declare a Public Hearing for the FY 2015 Town Budget

- It is respectfully requested that the BOS declare a Public Hearing for the FY 2015 Town Budget to be held on Tuesday, April 22, 2014 at 7pm at Town Hall. At that time the Finance Committee will make a presentation as well as the Personnel Board with respect to COLA.

5. Town Hall Window Replacement Proposal

- Over the last three years, the Energy Committee has been looking at the total replacement of all windows of the Town Hall for the purposes on energy conservation. Initial estimates were in the range of \$250,000 to \$300,000+. At the request of the Energy Committee, Mr. Dan Sherman conducted a Window Study/Analysis of the Town Hall at no cost to the Town.
- On March 19, 2014, the Town received the report (see attached report).
- The BOS is respectfully being consulted as to whether to proceed with an Article for Town Meeting for the funding of this project out of free cash and/or other funding source(s) direction.

6. Review/Discussion of DRAFT ATM Warrant and DRAFT FY 2015 Budget

- Attached is the most recent DRAFT (Draft #2) of the ATM Warrant for BOS review.
- The deadline for all Warrant Articles is 5pm on Friday, April 11, 2014.
- The Warrant must go to the Printer's no later than 12pm noon on Friday, April 25, 2014.
- Attached is the most recent DRAFT of the FY 2015 Budget as provided by the Town Accountant.

7. Discussion on Proposed Use(s) of "Free Cash" for FY 2015 Capital Items

- At the request of Chairman Luca, the BOS will have a discussion on the potential, proposed use of "free cash" for the purchase of FY 2015 Capital Items. This was also discussed briefly at the March 20, 2014 Executive Bi-Board Meeting.

8. Approval of 2013 Annual Town Report Cover and Dedication

- Attached are four samples for the 2013 Annual Town Report Cover, the BOS is asked to approve one.
- Attached is the recommendation for the 2013 Annual Town Report to be dedicated in honor of Chief Wellman Parker who the Town lost in 2013.

Robert Pontbriand

From: Lisa White [lwhite@ayer.ma.us]
Sent: Wednesday, March 19, 2014 10:19 AM
To: ta@ayer.ma.us
Cc: kdswany@aol.com
Subject: Letter of Intent

Dear Robert,

Please accept this email as my Letter of Intent for appointment to Council on Aging Board of Directors.

It is my desire to work together with the Ayer Council on Aging Board of Directors to provide the best service to our senior citizens. With my business background, ten years of service with various town boards and committees, and my position with the Ayer Fire Department, I believe that I am able to make a worthy contribution to the Council on Aging. Our seniors deserve the best that we can provide.

Respectfully Submitted,

Lisa E. White

Lisa E. White
Department Assistant

Ayer Fire Department
1 West Main Street
Ayer, MA 01432-1210

978-772-8231

For 3/25/2014 BOS

AYER COUNCIL ON AGING

18 POND STREET

AYER, MA 01432

978-772-8260



March 13, 2014

Dear Members of the Ayer Board of Selectman,

It is with deep sadness that I write to let you know of the passing of another one of our outstanding Executive Board Members, Pricilla Hottle. She was a very active component of our board and we will miss her dearly.

In having to deal with these types of situations in our line of service we are blessed to have Lisa White, a very active Ayer resident express interest in filling Ms. Hottle's term of service. Ms. White would be the perfect fit to fill this seat and we look forward to having her join our COA Executive Board for our April 9, 2014 executive board meeting.

As we move forward we will continue to offer quality in all we do for the 60+ population working as the TEAM we always are.

Respectfully written,

Sister Paula McCrea

Chairperson of the Ayer Council on Aging

Sister Paula McCrea



Replacement Window PROPOSAL

PREPARED FOR:

Ayer City Hall
Dan Sherman

PREPARED BY:

Shawn Maynard

Renewal by Andersen

JOB LOCATION:

1 Main St.
Ayer, MA 01432

March 19, 2014

104 Otis Street
Northborough, MA, 01532
Phone (508) 351-2200
Fax (508)

Website: www.renewalbyandersen.com

Thank you for taking the time to meet with me to discuss ideas concerning the replacement of the windows at the your House. I would briefly like to tell you about Renewal by Andersen (RBA), and why the homeowners of Massachusetts have made Renewal by Andersen the number one window replacement company in the state.

RBA provides \$1,500,000.00 of liability insurance per occurrence. All of our employees are covered by Workers Compensation Insurance so that you will not be exposed to any liability should any of our employees be injured while on your job. We are licensed with the State of Massachusetts Department of Consumer Affairs (#144318) for your protection. In addition:

- We are members of Certified Contractors Network (CCN)
- We are members of Better Business Bureau (BBB)
- We are members of NARI

As a legitimate and dependable replacement window company, we maintain these affiliations and credentials to provide you with the highest level of confidence and customer service.

Renewal by Andersen is the dedicated replacement window division of Andersen Window Corporation.

Our Project Managers are Window experts – knowledgeable in product differences and quality. They can advise you with construction related issues along with design suggestions.

Our window installers are certified craftsmen who attend on-going training, to keep them up to date on the latest technological advances in the window industry.

All work performed by Renewal by Andersen is covered by Renewal by Andersen's Limited Warranty for Products and Installation. This Limited Warranty includes all replacement costs including **ALL Labor & Material**. Your Project Manager will be glad to explain the details of the Renewal by Andersen's Warranty and why it is a very important reason for selecting our products.

We do it right – we do it by the book – or we don't do it at all.

Very Truly Yours,

Shawn Maynard

Sr. Project Manager

Renewal by Andersen/Boston

This project has been specified in accordance with local building codes, industry standards and manufacturer specification requirements. All work will be installed by Certified Craftsmen to assure qualification for Renewal by Andersen's Limited Warranty.

104 Otis Street
Northborough, MA, 01532
Phone (508) 351-2200
Fax (508)

Website: www.renewalbyandersen.com

The following is an overview of what I observed when I inspected your Property in order to develop this quote. First, let me review the two approaches that we can take in replacing your windows.

1. **Insert Windows** – This is where we utilize the existing window frame along with the existing interior and exterior casings and sills. This approach is what we do in the majority of window replacement projects. It is less costly as it requires less material and it is a quicker job and thus the labor time is about half that of a “Full Frame” approach.

2. **Full Frame** – This is the approach that we take when the existing frames and casings are not of a quality or condition that will insure an installation that will meet the Renewal by Andersen standards and the customer's expectations. With the Renewal by Andersen Fibrex window all of the window frame and exterior components are comprised of the Fibrex material. This is “down to the studs” replacement.

When we inspected your windows we observed that the insert approach will be the correct option.

The following are a recap of the key features of the RBA windows that will be installed in your properties:

- **High Performance Low E 4 Glass –**
 - **70% more energy efficient in the summer – Reduced AC cost and insures temperature balance throughout the home**
 - **45% more energy efficient in the winter – Actual energy savings will vary from customer to customer.**
 - **Reduces water spots by up to 99% when activated by sunlight – repeals dirt which allows you to hose off the windows for most of your cleaning requirements – the double hung windows are easy to tilt in to clean the spots that do not hose off**
 - **Blocks up to 86% of harmful UV rays which will protect your furniture, drapes, collectibles and wall coverings**

- **Key benefits of the Patented Fibrex material**
 - **No need to paint, scrap and Fibrex is warranted not to peel, crack, or blister, pit, flake, corrode**
 - **Excellent insulator – prevents heat or cold transfer in or out of your home**
 - **Strength of Fibrex results in narrower frame – (increased viewing area than most other replacement windows)**
 - **Fibrex contains over 40% or reclaimed wood fiber – reduced impact on the environment**
 - **Resistant to temperature changes -does not excessively expand and contract like other materials**
 - **Resistant to fading and cracking due to the sun**

We at RBA understand that for most people this may be your first experience with replacing windows. With that in mind, we want to offer you this list of “what to expect” during your window project. We hope this will help to avoid any confusion or problems before, during and after we arrive to complete your project.

104 Otis Street
Northborough, MA, 01532
Phone (508) 351-2200
Fax (508)

Website: www.renewalbyandersen.com

Scope of Work to be performed for the installation of your new Windows:

- Your Project Manager will assist you on scheduling an appointment for your Installation supervisor to visit your home and introduce himself, the installation supervisor will also re-measure all the windows included in your project to insure that maximum viewing area and the tightest fit for protection against the elements
- Your Installation Supervisor will review with you the installation requirements for your project, along with reviewing the installation process steps and aligning them to your concerns and requirements
- **Maintaining clear communications is critical to ensure your satisfaction!**
- On the Installation day(s), our fully licensed and insured Installation Team will be in charge of:
 - Protection the working areas within your home with drop cloths
 - Setting-up the location of the installation station as prescribed by you
 - Removal and disposal of existing windows and construction debris
 - Inspection and preparation of wall openings to ensure there is no hidden damage
 - Applying Flashing and dual sealant to openings as prescribed by Renewal by Andersen Installation Standards (All sealants used conform to Renewal by Andersen installation and performance standards)
 - Installation of Renewal by Andersen Fibrex Windows with (High Performance - Low E4 Glass with Argon/Nitrogen blended gas in the insulating glass space)
 - Ensure all Glass Area is clean (inside and outside surface)
 - Removal of installation waste and disposal off property (EPA approved procedures for lead paint disposal)
 - Clean-Up of installation and set up station area
- Prior to our Team departing, your Installation Manager will explain to you how to operate the new windows as well as explaining Renewal by Andersen's Limited Warranty for product and labor (Glass 20 yrs, Non-glass 10 yrs and installation 2 yrs) – Parts and Labor Non pro-rated

SCOPE OF WORK for your home:

104 Otis Street
Northborough, MA, 01532
Phone (508) 351-2200
Fax (508)

Website: www.renewalbyandersen.com

-
1. **Color of windows – Dual color exterior Forest Green and interior Sandtone**
 2. **Installation of Custom Full Frame on all specialty windows and replacement windows**
 3. **Full Fiberglass Mesh screens**
 4. **The widow exterior will be of low maintenance Fibrex and non - wood materials**
 5. **Total of 74 Windows 16 specialty and 58 Double Hungs**
 6. **True Divided lite Grids (dual colors)**

Supporting information for selecting Renewal by Andersen to perform the installation of your New Windows:

1. Renewal by Andersen's Fibrex window is a composite of 40% wood fiber and 60% thermoplastics which will not rot, blister, absorbs moisture (which causes swelling and sticky windows), or support the growth of mold
2. The Renewal by Andersen warranty covers all material and labor for the full warranty period – no service or trip charges,
3. Unlike wood or wood clad windows, the Renewal by Andersen Fibrex window does not require any periodic maintenance such as painting, rot repair, and will never stick or bind due to humidity
4. Unlike vinyl windows – they will not close in the glass area or exhibit early life seal failure which is a characteristic of vinyl windows
5. Andersen Windows are recognized for resale value and quality by the National Association of Realtors by a factor of 6 to 1
6. Super Service Award – 2007,2008,2009,2010,2011, 2012 Angie's List
7. Trustworthy, high quality installation – Our installers work exclusively for Renewal by Andersen, and adhere to a 20 point installation excellence process
8. Renewal by Andersen windows are Energy star and Green Star Certified

Renewal by Andersen is the custom replacement window division of Andersen Window Corporation we work with people to improve the energy efficiency of their home, enhance the comfort and beauty of their home, and to increase the equity value in their largest asset.

Total Installed Cost of the Project which includes all discounts \$159,618.00

Financing Options Available

Thank you,
Shawn Maynard
Sr. Project Mgr
Renewal By Andersen
(978)503-2828

104 Otis Street
Northborough, MA, 01532
Phone (508) 351-2200
Fax (508)
Website: www.renewalbyandersen.com

**DRAFT #1 Prepared by R. Pontbriand, TA, 2-26-2014
**Financial Edits provided by L. Gabree, FM, 2-28-2014
**DRAFT #2 Prepared by R. Pontbriand, TA, 3-19-2014
**Includes Input from Ex.-Bi Board, 3-20-2014

Town of Ayer



ANNUAL TOWN MEETING WARRANT

Ayer Town Hall ~ Great Hall
1 Main Street, Ayer, MA 01432
May 12, 2014 @ 7:00 p.m.

Commonwealth of Massachusetts
Middlesex, ss.

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Elections and Affairs to meet at the Great Hall in the Ayer Town Hall located at 1 Main Street, Ayer Massachusetts on Monday, the Twelfth (12th) day of May, 2014, at seven o'clock in the evening (7:00 p.m.) then and there to act on the following articles:

Hereof fail not and make due return of this warrant with your doings thereof to the Town Clerk before the date appointed for said meeting.

Given under our hands this ___th day of April AD 2014.

Gary J. Luca, Chairman

Christopher R. Hillman, Vice Chairman

Jannice L. Livingston, Clerk

Pauline Conley, Member

AYER BOARD OF SELECTMEN

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before May __, 2014. We shall make every reasonable effort to assist you.

ARTICLE 1: TOWN ELECTIONS

The Town Elections are the first article of business and were held Monday, April 28, 2014.

ARTICLE 2: REPORTS

To see if the Town will vote to hear and act on the reports of the several Town of Ayer Officers and Committees that may be ready to report, or take any action thereon or in relation thereto.

1. Finance Committee
2. Town Accountant/Finance Manager

Sponsor: Board of Selectmen

Simple Majority Vote Required

ARTICLE 3: PAY PRIOR YEAR BILLS

To see if the Town will vote to raise and appropriate the following amount to pay unpaid bills of Fiscal Year 2013, as authorized under General Laws Chapter 44, or take any action thereon or in relation thereto:

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Public Works	Baystate Roads Program	\$110.00
Fire Department	Nashoba Valley Med. Ctr.	\$209.15
Property and Liability Insurance	Markham Group, Inc.	\$100.00

Sponsor: Board of Selectmen
Finance Committee:

4/5ths Vote Required

ARTICLE 4: SALARIES OF ELECTED OFFICIALS

To see if the Town will vote to fix the salary and compensation of elected officers of the Town of Ayer, as provided by Section 108, Chapter 41 of the General Laws, as amended, or take any action thereon or in relation thereto.

	<u>FY-14 SALARY</u>	<u>FY-15 SALARY</u>	<u>% OF CHANGE</u>
Moderator	\$500	\$ 500	0.0%
Selectmen: Chair	\$2,506	\$ 2,506	0.0%
Selectmen: Members (2)	\$2,235	\$ 2,235	0.0%
Assessors: Chair	\$2,480	\$ 2,480	0.0%
Assessors: Members (2)	\$2,210	\$ 2,210	0.0%
Treasurer:	\$59,788	\$?	0.0%
Town Clerk	\$26,905	\$?	0.0%
Tax Collector:	\$32,884	\$?	0.0%
Tree Warden:	\$5,616	\$5,616	0.0%

Note: This article is required – Town Meeting sets the salaries of elected officials pursuant to MGL c. 41, § 108.

Simple Majority Vote Required

ARTICLE 5: OMNIBUS BUDGET

To see if the Town will vote to raise and appropriate or transfer from other available funds, the following sum or sums of money for the Omnibus items, or take any action thereon or in relation thereto:

- Dept. 100: General Government
- Dept. 200: Finance
- Dept. 300: Public Safety
- Dept. 400: Public Works
- Dept. 500: Human Services
- Dept. 600: Management Support

Sponsor:
Board of Selectmen:
Finance Committee:

Simple Majority Vote Required

DRAFT

ARTICLE 6. FY 2015 REGIONAL SCHOOL ASSESSMENT

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,380,770.00 required to fund the FY 2015 assessment for the Ayer-Shirley Regional School District, or take any action thereon or in relation thereto.

Sponsor: Ayer Shirley Regional School Committee
Required

Simple Majority Vote

Board of Selectmen:
Finance Committee:

ARTICLE 7. FY 2015 NASHOBA VALLEY TECHNICAL VOCATIONAL SCHOOL ASSESSMENT

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$583,509 required to fund the FY 2015 assessment for the Nashoba Valley Regional Technical High School, or take any action thereon or in relation thereto.

Sponsor
Board of Selectmen
Finance Committee

Simple Majority Vote Required

ARTICLE 8. FY2015 NASHOBA VALLEY TECHNICAL VOCATIONAL SCHOOL – AYER’S PORTION OF THE ACCELERATED ROOF REPAIR PROJECT BORROW

To see if the Town will approve the sum of _____ borrowing authorized by the Nashoba Valley Technical School District, for the purpose of paying costs of the Accelerated Roof Repair Project at the Nashoba Valley Technical High School, located at 100 Littleton Road, Westford Massachusetts, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program], and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the Nashoba Valley Technical School Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-two point twenty six percent (52.26%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Sponsor Board of Selectmen
Finance Committee

Two-Thirds Vote Required

ENTERPRISE FUND ARTICLES

Handouts will be provided at Town Meeting with further detail on Articles No. 9 – 13.

ARTICLE 9. SOLID WASTE

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the solid waste department:

Direct costs of \$382,183 of which \$204,240 is to come from solid waste revenue, of which \$38,719 is to come from solid waste surplus (free cash) and \$139,179 is to come from the tax levy, and **indirect costs** of \$109,710 to come from the tax levy, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 10. AMBULANCE

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the ambulance department:

Direct costs of \$106,479 is to come from ambulance revenue, and **indirect costs** of \$326,091 of which \$282,184 is to come from ambulance revenue and \$43,907 from ambulance surplus, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 11. SEWER

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the sewer department:

Direct costs of \$2,309,701 of which \$2,284,032 is to come from sewer revenue and \$25,669 is to come from the tax levy, and **indirect costs** of \$315,312 of which \$300,312 is to come from sewer revenue and \$25,000.00 is to come from sewer surplus (free cash), or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 12. WATER

To see if the Town will vote to raise and appropriate or transfer from available funds or from retained earnings the following funds to operate the water department:

Direct costs of \$1,713,866 of which \$1,599,676 is to come from water revenue and \$114,190 is to come from tax levy, and **indirect costs** of \$228,128 of which \$68,006 is to come from water

revenue and \$160,122 is to come from water surplus (free cash), or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 13. STORMWATER

To see if the Town will vote to raise and appropriate or transfer from available funds or from retained earnings the following funds to operate the stormwater department:

Direct costs of \$100,500 of which \$100,500 is to come from the tax levy, or take any action thereon or in relation thereto.

Sponsor: DPW
Board of Selectmen:
Finance Committee:

Simple Majority Vote Required

REVOLVING FUND ARTICLES

Recommend Moving Articles 14 through 19 together by consent.

ARTICLE 14. COMMUNICATIONS FUND

To see if the Town will vote to reauthorize a Revolving Fund, pursuant to G.L. Chapter 44, Section 53E 1/2, for the purpose of supporting the town website, printing and mailing various newsletters, and other town-wide informational mailings from the **Communication Committee**. Receipts to be credited to the account shall be revenues from ads placed in said mailings and on the Town website. The Communication Committee is authorized to expend monies from this fund. In no event shall total expenditures from the Communications Revolving Fund exceed twenty thousand dollars (\$20,000) in Fiscal Year 2015, and provided further that no Board, Department or Officer shall be authorized to expend in any one fiscal year from all Revolving Funds under its direct control more than one percent of the amount raised by taxation by the Town in the most recent fiscal year for which a tax rate has been certified under Section Twenty Three of Chapter Fifty Nine, or take any action thereon or in relation thereto.

Sponsor: I.T. /Communications Committee
Finance Committee:

Simple Majority Vote Required

ARTICLE 15. FIRE ALARM FUND

To see if the Town will vote to reauthorize a Revolving Fund, pursuant to G.L. Chapter 44, Section 53E 1/2, for the purpose of **Fire Alarm Repairs and Replacement**. Receipts to be credited to the account shall be Fire Alarm Box Assessment Fees and Fines for Needless and False Alarms. The Fire Chief is authorized to expend monies from this fund. In no event shall total expenditures from the Fire Alarm Revolving Account exceed thirty-five thousand dollars (\$35,000) in Fiscal Year 2015, and provided further, that no Board, Department or Officer shall be authorized to expend in any one fiscal year from all Revolving Funds under its direct control more than one percent of the amount raised by taxation by the Town in the most recent fiscal

year for which a tax rate has been certified under Section Twenty Three of Chapter Fifty Nine, or take any action thereon or in relation thereto.

Sponsor: Fire Chief
Finance Committee:

Simple Majority Vote Required

ARTICLE 16. HAZARDOUS MATERIALS FUND

To see if the Town will vote to reauthorize a Revolving Fund pursuant to G.L. Chapter 44 Section 53E 1/2, for the purpose of **Hazardous Materials Expense** Replacement. All receipts from a Haz-Mat incident shall be from billed services, and will be used for replacement of supplies and expenses. The Fire Chief will be authorized to expend monies for this fund. In no event shall total expenditures from the Haz-Mat Revolving Account exceed ten thousand dollars (\$10,000) in Fiscal Year 2015, and provided further, that no Board, Department or Officer shall be authorized to expend in any one fiscal year from all Revolving Funds under its direct control more than one percent of the amount raised by taxation by the Town in the most recent fiscal year for which a tax rate has been certified under Section Twenty Three of Chapter Fifty Nine, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 17. FOURTH OF JULY FUND

To see if the Town will vote to reauthorize a Revolving Fund pursuant to G.L. Chapter 44, Section 53E 1/2, for the purpose of a **4th of July Revolving Fund**. Receipts to be credited to the Account shall be from vendor fees, and shall be used for purchasing and promoting the event. The 4th of July Committee, with the approval of the Board of Selectmen, is authorized to expend money from this fund. In no event shall total expenditures from the 4th of July Revolving Fund exceed twenty five thousand dollars (\$25,000.00) in Fiscal Year 2015 and provided further, that no Board, Department or Officer shall be authorized to expend in any one fiscal year from all Revolving Funds under its direct control more than one percent of the amount raised by taxation by the Town in the most recent fiscal year for which a tax rate has been certified under Section Twenty Three of Chapter Fifty Nine, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 18. DPW INSPECTION FEES FUND

To see if the Town will vote to reauthorize a Revolving Fund pursuant to G.L. Chapter 44 Section 53E 1/2, for the purpose of a **Department of Public Works Inspection Revolving Fund**. Receipts to be credited to the fund shall be from development fees or contributions, and shall be used for the purpose of funding inspections of road construction, drainage facilities, and water and sewer line installations. The Superintendent of Public Works shall be authorized to expend money from this fund. In no event shall total expenditures from the Department of Public Works Inspection Revolving Fund exceed one-hundred thousand dollars (\$100,000) in Fiscal Year 2015 and provided further, that no Board, Department or Officer shall be authorized to expend in any one fiscal year from all Revolving Funds under its direct control more than one percent of the amount raised by taxation by the Town in the most recent fiscal year for which a

tax rate has been certified under Section Twenty Three of Chapter Fifty Nine, or take any action thereon or in relation thereto

Sponsor: DPW
Finance Committee:

Simple Majority Vote Required

ARTICLE 19. TOWN HALL MAINTENANCE FUND

To see if the Town will vote to reauthorize a Revolving Fund pursuant to G.L. Chapter 44 Section 53E 1/2, for the purpose of a **Town Hall Maintenance Fund**. Receipts to be credited to the fund shall be from fees assessed for use of Town Hall facilities and may be used for costs related to operation, maintenance, repair and/or reconstruction at Town Hall and its grounds. The Board of Selectmen shall be authorized to expend money from this fund. In no event shall total expenditures from the Town Hall Maintenance Fund exceed ten thousand dollars (\$10,000) in Fiscal Year 2015 and provided further, that no Board, Department or Officer shall be authorized to expend in any one fiscal year from all Revolving Funds under its direct control more than one percent of the amount raised by taxation by the Town in the most recent fiscal year for which a tax rate has been certified under Section Twenty Three of Chapter Fifty Nine, or take any action thereon or in relation thereto

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

BORROW ARTICLES

ARTICLE 20. CAPITAL BUDGET REQUESTS

To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sums set out in the Warrant and hereby listed for the purposes of funding the following equipment, services and public works projects as contained in the **Capital Budget**, each sum hereafter to be voted on separately, or take any action thereon or in relation there to.

NOTE: FY 2015 Capital Recommendations have been made by the Committee subject to review and approval by BOS/Fin Com

<u>Department</u>	<u>Item</u>	<u>Amount</u>
<u>General Fund</u>		
	New Server (Town Hall, Fire, DPW)	\$33,000
	Replace Police Chief Car	\$31,000
	Design for E. Main St. Improvements	\$50,000
<u>DPW –Water Enterprise</u>		
	Spectacle Pond Corrosion Control Equipment	\$50,000
	Water Main Replacements	\$250,000
<u>DPW-Sewer Enterprise</u>		
	Meter Radio Read System	\$50,000
<u>Fire-Ambulance</u>		
	Cardiac Monitor	\$35,000

Sponsor: Capital Planning Committee; Board of Selectmen
Finance Committee: Recommends

Two-Thirds Vote Required

ARTICLE 21. UNEXPENDED BALANCE TRANSFER (Water Fund)

To see if the Town will vote to transfer the unexpended balance of \$104,911.31 from the Reserve for Special Borrowing Account of the Water Fund and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the additional sum of \$895,088.69 for the replacement of East Main Street Water Mains, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Two-Thirds Vote Required

ARTICLE 22. UNEXPENDED BALANCE TRANSFER (Sewer Fund)

To see if the Town will vote to transfer the unexpended balance of \$82,388.77 from the Reserve for Special Borrowing Account of the Sewer Fund, \$25,932.97 from the Reserve for Special Borrow of the General Fund, \$2,530.60 from the Reserve for Special Borrow of the Solid Waste Fund, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the additional sum of \$639,147.66 for the replacement of East Main Street Sewer Mains, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Two-Thirds Vote Required

ARTICLE 23. TRANSFER BORROW AUTHORIZATION (Stony Brook Sewer Pump Station)

To see if the Town will vote to transfer the unexpended balance of the \$450,000 authorization to borrow from Article 19 of the May 14, 2012 Annual Town Meeting, DPW – Sewer Enterprise W. Main Pump Station Construction to the DPW – Sewer Enterprise Stony Brook Pump Station, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Two-Thirds Vote Required

ARTICLE 24. TRANSFER BORROW AUTHORIZATION (Water Meter Radio Read System)

To see if the Town will vote to transfer the unexpended balance of \$45,036.15 authorization to borrow from Article 14 of the May 12, 2008 Annual Town Meeting, DPW – Water Enterprise SCADA Upgrades to the DPW – Water Enterprise Meter Radio Read System, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Two-Thirds Vote Required

RAISE AND APPROPRIATE ARTICLE

ARTICLE 25. FIRST-YEAR BORROW INTEREST AND EXPENSE

To see if the Town will vote to raise and appropriate the sum of \$10,080 required to provide for the first year's interest charges and associated administrative expenses on all General Fund borrowing/bonding authorized by this Town Meeting, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

TRANSFER ARTICLES

ARTICLE 26. TRANSFERS FROM CAPITAL STABILIZATION

To see if the Town will vote to transfer \$10,000.00 from the Capital Stabilization Fund for the purchase of a microfilm scanner for the Library as per the Capital Plan or take any action thereon or in relation there to.

Sponsor: Board of Selectmen
Finance Committee:

Two-Thirds Vote Required

ARTICLE 27. STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of \$ _____ or such other sum or sums of money, to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, and to transfer 10% of said sum to capital stabilization per the Town's Financial Policies or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Two-Thirds Vote Required

ARTICLE 28. GASB-45/ OPEB (Post Employment Benefits) FUND

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$200,000 to meet the Town's obligations under the Government Accounting Standards Board (GASB) Statement 45 to fund the Town's future obligation for the cost of other post-employment benefits (OPEB) or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 29. COMMUNITY PRESERVATION ACT

To see if the Town will hear and act on the report of the Community Preservation Committee on the Fiscal Year 2015 Community Preservation Act budget, and appropriate from the estimated FY 2015 Community Preservation Fund revenues:

- A sum of money equal to five percent, and not-to-exceed five thousand dollars (\$ _____), to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2013.

And further, to reserve for future appropriation from the estimated FY2013 Community Preservation Fund revenues the following sums of money, as recommended by the Community Preservation Committee, for each of the following purposes:

- A sum of money equal to \$ _____, more or less, for acquisition, creation and preservation of open space excluding land for recreational use, and
- A sum of money equal to \$ _____, more or less, for acquisition, preservation, restoration and rehabilitation of historic resources, and
- A sum of money equal to \$ _____, more or less, for acquisition, creation and preservation and support of community housing.

Or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Finance Committee: Recommends

Simple Majority Vote Required

ARTICLE 30. CPAC – TRANSFER OF FUNDS

To see if the Town will vote to transfer from Community Preservation Fund FY 2015 estimated annual revenues the sum of \$ _____, more or less, and reserve said sum for future appropriation by the Community Preservation Act Committee for general open space purposes; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Board of Selectmen:
Finance Committee:

Simple Majority Vote Required

GENERAL BUSINESS ARTICLES

ARTICLE 31. BOARD OF ELECTION REGISTRARS

To see if the Town will vote to accept Chapter 41, Section 110A of the General Laws to allow the Town of Ayer Board of Registrars to conduct their business during the week rather than a Saturday or take any other action thereon or in relation thereto.

Sponsor: Board of Election Registrars
Board of Selectmen:

Simple Majority Vote Required

CITIZEN PETITION ARTICLES

****NOTE: CITIZENS PETITIONS DUE BY 5PM FRIDAY, APRIL 11, 2015**

A True Copy Attest:

As directed in the foregoing warrant, I have this day posted three attested copies in three public places, one of which was the Town Hall at least seven days before said meeting, all as herein directed.

- Constable

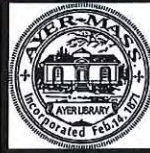
Date: _____

Town of Ayer, Massachusetts



2013 Annual Report

Town of Ayer, Massachusetts



2013 Annual Report

Town of Ayer, Massachusetts



2013 Annual Report

Town of Ayer, Massachusetts



2013 Annual Report

The Town of Ayer is proud to dedicate this 2013 Town Report to

CHIEF WELLMAN PARKER

in honor of his dedicated service to the Town



Wellman was appointed to the Ayer Fire Department on July 1st, 1954 rising through the ranks to Lieutenant on January 1st 1963; Captain on April 6th 1966; and Deputy Chief January 1st 1973. Wellman was appointed Chief of Department on September 6th 1988 and served in that capacity until his retirement on July 1st 1992.

Chief Parker also served the Town of Ayer for many years as Electrical Inspector and held the position of Emergency Management Director from 1988 through 2010.

NEW BUSINESS / SELECTMEN'S QUESTIONS

- JBOS Update – Selectman Luca
- Sandy Pond Traffic Update / Columbia St. Truck Traffic – Selectman Hillman
- Business Certificates Update – Selectman Hillman
- Building Department Staffing/Funding – Selectman Hillman
- Selectmen “Back Channel” Communications – Selectman Hillman

APPROVAL OF MEETING MINUTES

- January 21, 2014
- February 4, 2014
- February 18, 2014
- March 4, 2014

ADJOURNMENT

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, January 21, 2014-7:00P.M.
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

Chairman Luca called the meeting to order at 7:00p.m. Present: Chairman-Gary J. Luca, Christopher R. Hillman, Vice-Chairman, James M. Fay Clerk, Members: Pauline Conley and Jannice Livingston. Janet Lewis, Secretary. Town Administrator Robert A. Pontbriand absent
Chairman Luca requested if there were any amendments to the Agenda. None. Chairman Luca called for a motion to approve the Agenda. Ms. Livingston moved to approve the agenda 2nd by Mr. Fay, VOTE: unanimous, so moved.

Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input. No one stepped forward. Ms. Conley requested from the Board's delegates to the Curbside Study Working Group if they held their first meeting. Ms. Livingston advised to the first meeting of the working group is Thursday, January 30, 2014 at 5:00p.m. at the DPW Office.

Announcements: Chairman Luca called for a Moment of Silence for the "Town's First Lady of Ayer"- Zelda L. Moore, who passed away on Monday, January 20, 2014. Mr. Luca reflected on Mrs. Moore love and vision for the Town documenting, restoring and maintaining the Town's historic treasures through her library in the Page Moore Building. The Board sent along their sincerest condolences to the Moore family.

National Grid-Washington Street Easement-The Board met with Iris Harris from National Grid re the Granting of Easement on the southwest side of Washington Street and westerly side of Groton Harvard Road -Town of Ayer Assessors Map Parcel 019/020.00000-0001.0 described in a deed dated April 30, 1883 recorded at Middlesex South District Registry of Deeds in Book 1653, Page 213 for underground electric distribution system for the ASRHS construction project. Ms. Conley moved the vote to approve the National Grid -Washington Street Easement as presented, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Police Chief William Murray -Appointment Police/Fire/EMS Per Diem Dispatcher-Chief Murray introduced and recommended the appointment of Christopher M. Herrstrom, of Ayer, MA to the on-call Per Diem Dispatcher position to augment his dispatch staff (no benefits, not covered by CBA and compensated at Step One Full Time Dispatcher/no conflicts with Fire Dept. per 1-9-14 Memo) Ms. Conley moved the Board vote to approve the Chief's recommendation and appoint Christopher M. Herrstrom as a Police/Fire/EMS Per Diem Dispatcher to the Ayer Police Dept. as discussed, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Cultural Council Appointments-rescheduled to Board's 2-4-14 Meeting

DPW Superintendent's Report-the Board met with Mark Wetzel

1 Old Groton Road- Supt. Wetzel advised to only one interested party submitting request re plowing Old Groton Rd.- Matthew Womble, of Lunenburg, MA at \$75 for every 4" of snow or \$150 for 8" of snow advising the Board to Mr. Womble the person who plowed Old Groton Rd the last storm as test run. Discussion followed re concern re other roads, contracts, liability insurance etc. Mr. Fay stating at the last meeting the Board agreed Town would plow road, that should be it-plow road, he is not comfortable giving to private contractor DPW should plow road, don't treat any different than any other road. Ms. Conley agreeing with Mr. Fay but suggesting DPW get at least one pass done with backhoe early in storm, if significant storm, to allow residents some accommodation re access. Supt. Wetzel urging Board to get something in writing from residents re plowing and advising to Fire Dept. having emergency access from Washington Street entrance if needed as well as requesting residents of Old Groton Rd. not to park on road. The Board requested number of new streets/private roads requiring similar consideration Mr. Hillman advising to Pingrey Hill, Mountain Laurel having issues as well. Mr. Hillman advising to Board settling issue this Spring.

2. Industrial Pretreatment Program Contract with Hoyle Tanner (HTA)-Supt. Wetzel presented HTA Agreement for Professional Engineering services for the Town's four (4) Significant Industrial Users (SIU) for twelve months January 2014 to December 2014 with an option for two additional years, effective 12-21-14 in the amount of \$42,500.00. Mr. Fay moved the Board's approval of HTA's Pretreatment Program as presented and recommended by Supt. Wetzel for a one year contract not to exceed \$42,500.00. Ms. Conley requesting to strike limitations of their responsibilities paragraph #10 and clarify paragraph #9 limits coverage, 2nd by Mr. Hillman VOTE: unanimous, so moved. Mr. Wetzel to have HTA modify Agreement and report back.

3. Street Light Contract Time Extension-Blais Electrical Corp. Contractor present for the discussion Supt. Wetzel advising Board to Blais Electric requesting time extension for the Main Street Light Improvement Project due to being delayed in completing the work due to deliveries from the vendor. Supt. Wetzel advising to the light poles delivered on 12-30-13 and expecting delivery on the decorative bases on 1-21-14. Supt. Wetzel advising to contractor preparing hole locations in October and November 2013 and installing poles and light fixtures as soon as the materials were delivered even under polar vortex weather conditions and recommending the Board's approval of the time extension. The Board applauded work effort; Blais advising to shutdown in NY out of their control holding up delivery. Ms. Conley thanked Mr. Blais for all his effort and moved to approve Change Order #1. to Blais Electrical Corp. modifying final date of delivery/installation of the decorative light pole bases (payment) to 1-31-14 and authorize the Chairman's signature, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Board of Selectmen's Minutes and Meeting Packets-The Board after a brief discussion amended the Board's Policies & Procedures 99-24 Minutes -from fourth (4) day of circulation of Meeting minutes to ten (10) days (the Board to remit electronic edit to the minutes within 4-5 days of meeting and minutes to be re-circulated with all edits electronically back to the Board). Board to approve minutes once a month. Motion to approve made by Mr. Fay, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Town Administrator's Report-Mr. Pontbriand absent

1. Public Disclosure of 1-20-14 Executive Session Acts per OML (if applicable)

Mr. Luca advised to the Board voting and approving a RFT in the amount of \$4,067.04 re medical bills for Police Officer under 111F and sending RFT to Fin-Com for approval.

2. 2014 MMA Annual Meeting Voting Delegate - Mr. Fay nominated Mr. Luca as delegate to the 2014 MMA Annual Mtg., 2nd by Ms. Conley, VOTE: unanimous, so moved.

3. The Board reviewed the revised Selectmen's Office Fy-15 Budget and expressed concern re impact to legal budget and Ms. Conley requesting spread sheet re legal costs to date.

4. Old Central Fire Station RFP-Ms. Conley requesting to amend Page one #1. Introduction 2nd word second line change sale to purchase- of property. Mr. Fay moved the Board vote to approve amendment, 2nd by Ms. Conley VOTE: unanimous, so moved.

5. Town-wide Life Insurance Policy Proposal- The Board reviewed their vote of 1-7-14 raising the Town-wide Life Insurance Policy from \$2K to \$5K contingent upon Fin-Com's review & approval. The Board reviewed coverage changes, amending the Bargaining Agreements too include 75-25 split. Ms. Conley offered to break out changes in the old and new coverage. The Board requested to have Ms. Doig come before the Board to explain/clarify policies at their 2-4-14 meeting.

6. Willows Demand for payment update-Mr. Hillman stated he stands by decision of 12-17-13 to send out letter asap demanding the \$250K and hold all permits until settled. Ms. Livingston requesting this is run by Town counsel re bankruptcy concerns.

New Business/Selectmen's Questions-

Mr. Hillman-

1. recommending the Board put Town Counsel/Legal Services out to bid, get quotes, wouldn't hurt-competition is good.

2. Excess Sewer Capacity/Devens-suggesting the Board needs a more accurate study done to reduce contract on a gas need basis rather than have to basis. The Board requested to receive a preliminary recommendation from Supt. Wetzel for the Board's 2-4-14 meeting.

3. GPS in Town Vehicles Mr. Hillman stating he doesn't want to use re tracking, or use by supervisors as a disciplinary tool but to utilize re assistance in example with break-ins to see where officers are to be able to get them there quick and patrol checks. Mr. Luca agreeing to great tool if departments buy into. Mr. Fay advising to impact bargaining necessary, Mr. Hillman disagreeing stating there is no impact re working conditions. The Board requested to get materials back from Ms. Knox and Mr. Wetzel to have something the Board could look at. Mr. Fay offering to invite Lowell Company in for demonstration.

4. Economic Plan-need -Town needs portfolio_outlining schools, businesses, recreational areas, need to promote more looking to promote/encourage potential new businesses to Town

5. Business Certificates-requesting update.

Ms. Livingston-

requested update to Town Auditors recommendation/s of 8-22-13 re closing Tax Collector's bank account and billing/reimbursement other municipalities re retiree's healthcare and as of today no confirmation bills have been paid. Ms. Livingston read Chapter 32B Section 9A 1/2 into the record advising Town of Ayer is receiving bills and they are not being paid stating it is the law, something is wrong. Mr. Luca advising to his public information request being redacted by Treasurer and Town Administrator unable to get information. Mr. Fay stating Board needs to require Treasurer comply with request it is the law, if need be take our own officials to court. Ms. Livingston stating she doesn't understand the attitude, Treasurer doesn't have to answer the question. A simple request for information Board can't get. Mr. Hillman stating position should be appointed not elected. Ms. Conley requested where we stand re Financial Policies to get information-exhibits being prepared by the Fin-Com, and questioning if other communities were billing us and advised yes.

Minutes 12-17-13- The Board requested to add line re Doug Jasperson being present re plowing history of Old Groton Road.

9:35p.m. Ms. Livingston moved to adjourn the meeting 2nd by Mr. Hillman VOTE: Unanimous so moved.
9:35 meeting adjourned.

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, February 4, 2014-7:00P.M.
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

Chairman Luca called the meeting to order at 7:00p.m. Present: Chairman-Gary J. Luca, Christopher R. Hillman, Vice-Chairman, Members: Pauline Conley and Jannice L. Livingston. Janet Lewis, Secretary, Town Administrator Robert A. Pontbriand, Mr. Fay absent.

Chairman Luca requested if there were any amendments to the Agenda:

Ms. Conley requested MMA Meeting Update, Curbside pick-up update be placed under Town Administrator's Report. Town Administrator's Report-Mr. Pontbriand added the two (2) requested items under his report

- **Public Input**-Mary Spinner questioning status of Storm Water Enterprise Fund -advising to Town Meeting creating Storm Water Fund 7-1-12.

Ms. Conley-requesting Public Input Matrix be updated.

- **Announcements**- Chairman Luca took this opportunity to advise all to fundraiser being sponsored by the Ayer Police Department for Public safety Dispatcher Terri Fuhs to help defray cost associated with loss of wages and medical treatment on February 23, 2014 from 4-7p.m. at the Billiard's Cafe, 39 Main St., Ayer, MA. Chairman stating for those who can't attend but wish to make a donation a Gofundme account has been set up.

-**Mark O'Hagan-The Willows**-present for the discussion Bruce Wheeler, Manager, Willow Rd. Dev. LLC. The Board reviewed with Mr. O'Hagan their 1-24-14 demand for payment letter per the Town's Comprehensive Permit issued by the ZBA -approved on 10-18-05 and filed with Middlesex South Registry of Deeds -Book 47446-Page 284. A lengthy discussion followed re Mr. O'Hagen giving the Board a brief background of the project to date.

- working through difficult economic environment
- tentative Agreement proposed with Supt. Wetzel re \$10K/per unit for 25 units
- DPW has no legal authorization to enter into agreement-Board of Selectmen only authority
- no permits to be issued until issue resolved-no permits have been issued since 12-17-13
- \$250K cost of construction for Water Tank Tower-time line Fall of 2014 Bid out Oct/Nov.2014
Town needs money to construct tower.
- Performance Bond balance to be transmitted to Town Administrator by 2-5-14
- Agreement to be drawn up by Town Counsel to protect Town of Ayer.
- Total number of homes remaining to be built: Market Value 34 -Affordable 3
- Willows has \$48K in escrow set-a-side-5 Building Permits needed (4 Market-1 Affordable) to keep everything going; will come back in two (2) weeks to update Board.
- O'Hagan to provide build out schedule to Board of Selectmen and name of Attorney re escrow
To Town Administrator for Town Counsel.

Ms. Conley moved the Board authorize Gabe Vellante-Building Commissioner to issue five (5) Building Permits for Willow Road Dev., LLC in exchange for \$48K by Willow Road Dev., LLC to be held in Escrow; and authorize Mr. Vellante to release Building Permits in exchange for Mr. O'Hagan to provide Town Administrator closing schedule within sixty (60) days re -\$12K for each unit closing, in addition the Department of Public Works to release water connection for marketing trailer on site, 2nd by Selectman Hillman VOTE: unanimous, so moved.

Cultural Council Appointments-Mr. Pontbriand updated the Board to Tony D'Amico submitting the following candidates for appointment to the Ayer Cultural Council and advising to Mr. D'Amico highly recommending their appointments. The Board met with Sheila Schwabe, Deborah Kay and Jane Morriss.

The Board reviewed the role & responsibilities of the Council with the candidates and thanked each of the candidates for volunteering their service to the Town. Selectman Livingston moved the appointments of Sheila Schwable, Deborah Kay and Jane Morriss to the Ayer Cultural Council effective July 1, 2013 to June 30, 2016, 2nd by Mr. Hillman VOTE: unanimous, so moved.

64 Westford Road-Present for the discussion-Ralph McNiff, Heather Haas, Chairman of the Ayer Board of Health, Gabe Vellante, Building Commissioner, Police Chief William Murray and Fire Chief Robert Pedrazzi. Mr. Pontbriand opened the discussion by advising the Board to letter/s received re condition of 64 Westford Rd. property to which this issue comes up periodically. Mr. Pontbriand advising Board to Town Officials invited to attend re update/status report/s. Ms. Haas advising to no health violations, animal inspector finding no violation re live stock and no complaints to date. Mr. Vellante advising Board to main house in reasonable condition regarding its age, barn showing age not going to collapse/concrete-wood structure. Chief Murray advising to vehicles in compliance having Farm PLATE which is inter-changeable between vehicles. Vehicles all in running condition. Fire Chief Pedrazzi no issues. Mr. Mango originator of letter stating lack of consistency of Board feeling friendship blocking action. i.e. 37 Willard St. The Board correcting stating Willard Street property fire having asbestos-health concerns as well as many other serious problems and declared a Nuisance under Town's By-law after conducting a Public Hearing. Ms. Conley stating there are no violations with Westford Rd. property the Board can't help the way the property looks. Ms. Livingston questioned how to solve the problem. Mr. Hillman suggesting to clean up front of house stating Mr. McNiff started to clean up property then stopped. Questions came up re if Mr. McNiff mined out property and then filling with junk questioning if there were environmental concerns. Mr. McNiff advising to gravel taken for foundation for O'Ryan Building. Mr. Paddenton questioning definition of farm property to which Mr. McNiff clarified re Chapter 61A-Farm. Ruth Maxant requesting to leave property owner alone, no violations and no legal argument. Ms. Livingston requesting if Mr. McNiff needed help with clean up. Mr. McNiff advising to sorting out materials problem, hay building to be taken down and he will take down himself. Ms Haas taking exception to picking & choosing properties re enforcement advising to Boards working very well on this sensitive issue and referring DEP as appropriate resource re evidence of contamination buried on property, if any. Mr. Hillman stating primary problem is lack of communication no one is trying to drive people off farm issue is about clean-up, property is unsightly Board got off track, want to see some progress. Clean up front of property move clutter/debris into barn improve area, it is a reasonable request. The Board to revisit issue in May (90 days).

Alicia Hersey--CDBG Loan Forgiveness Request-Present for discussion-Robert E. Vear property owner 19 Oakridge Drive, Ayer, MA. and Loan advisor for American Title Service, re short sale of 19 Oakridge Drive property. Ms. Hersey advised to owner a 35 year resident of Town having to give up property. Mr. Vear stated he is unable to maintain his property as he is presently living in another state and is requesting loan forgiveness on \$15,991.52 balance of original lien of \$25,250.00 to allow for a short sale of his property. Mr. Hillman stated his concern re setting a president re loan forgiveness. Ms. Conley moved the Board vote to approve a discharge of mortgage-Loan Forgiveness for Robert Vear -19 Oakridge Drive, Ayer, MA in the amount not to exceed \$15,991.52 funded through the Town's CDBG Grant Program, 2nd by Ms. Livingston, VOTE: Ms. Conley aye, Ms. Livingston aye, Chairman Luca aye, Mr. Hillman no, 3-1 Motion passes.

Police Chief William Murray-Full-Time Dispatcher Appointment-Chief Murray introduced Casey Scott to the Board. Chief Murray advising to Mr. Scott employed by the Town since August 2010 as a Part-Time Dispatcher and recommended him to be promoted to the vacant Full-Time Dispatcher's position at Step 2. Mr. Hillman moved the Board vote to approve Chief Murrays request and promote Casey Scott to the full-time dispatcher's position at Step II and waive probationary period, 2nd by Ms. Conley, Ms. Conley praised the selection of Mr. Scott having heard and known good things about him and his work VOTE: unanimous, so moved.

Town-wide Life Insurance-The Board met with Melisa Doig, Asst. Treasurer. Mr. Pontbriand updated the Board to their vote on 1-27-14 authorizing the increase of the Town's life insurance from \$2K to \$5K. Ms. Doig advised the Board to the Life Insurance benefit not being updated since the late 50's and the voluntary program in the early 2000's. Ms. Doig reviewed with the Board a sample policy, the group insurance proposal, the enhanced voluntary life plan and the break out re the cost between the town and the employee. Ms. Conley advising to proposal presented two years old. Ms. Doig handed out more recent proposal for the Board's review. The Board requested proposal is run by the Fin-Com for their review and approval re increasing the life insurance from \$2K to \$5K. Ms Conley requested analyses be done of the two policies re changes in policy increasing to \$5K and report back for the Board's 2-18-14 Meeting.

Town Administrator's Report-

1. Mr. Pontbriand announced the Executive Session Action taken on 1-28-14 per OML.

- The Board approved a Reserve Fund Transfer in the Amount of \$2,568.26 subject to Fin-Com approval for Officer Matt Power-111-F Medical Bills.

The Board approved Personnel Board recommendation to transfer the supervisory authority of the Asst. Treasurer to be placed under the Town Administrator for an indefinite period of time a 3-1 vote, Ms. Livingston absent. Ms. Conley voting against. Ms. Conley requesting the Board review the job responsibilities at their next meeting.

2. 2014 Annual Town Meeting Warrant-The Board opened the May 12, 2014 Annual Town Meeting Warrant and closed the warrant for articles on April 11, 2014 at 5:00p.m.

3. Business Certificates-Present for the discussion David Maher-EOCD Director and John Canney, Town Clerk/Tax Collector

- Final list established
- mailing out of letters (fee/bill) by 3-1-14 by David Maher's Office
- fee base upon cost of service-MGL Chapter 20,S34 C202
- fee to be developed-continued to 2-18-14
- Estimated completion date 6-1-14

4. Shut Off Policy-Mr. Pontbriand updated the Board re unpaid water/sewer accounts and process taken before water is shut off (see memo dated 1-30-14) in Supt. Wetzels's absence due to prior commitment. Mr. Hillman questioned property owner who is continuously on delinquent list having HUD tenants and questioning if their water can be shut off. Discussion included requesting Rep. Harrington look into and notify both Supt. Wetzel and property owner in for the Board's next meeting.

5. GPS Transponders-Mr. Pontbriand updated the Board to a Working Group put together consisting of Police & Fire Chiefs, DPW Supt., IT Coordinator to put together a formal proposal for the Board on March 4, 2014 by a professional Public Sector GPS/Transponders Firm. Mr. Pontbriand reviewing any/all contractual legal issues. Mr. Pontbriand advising to the Town's Sludge Hauling Truck will have GPS/Transponder placed on it for safety tracking reasons, in the event of an accident the vehicles exact location must be known for first responders this to be placed in the Working Group's proposal due to the significant distances this large sludge vehicle travels on interstate highways in MA and R.I.

6. Curbside Pick-Up Working Group-Ms. Livingston updated the Board to the Working Group's 1st meeting held on ____ looking at options, best way to present to Town i.e. Public forums, no decisions made clearly up to voters, does not need bid process-trash/energy not under procurement. Mr. Pattenden requested placing this issue on ballot and advised to it not meeting criteria.

7. 76 central Ave. Property-Mr. Pontbriand advising to Central Register bumping out notification date two weeks and award ready for Board's 2-18-14 meeting.

JBOS - Chairman Luca advising to non-binding referendum being prepared re DREZ for upcoming Spring Town Meeting. Ms. Conley requesting to see questions and advised by Chairman Luca to need to be able to go forward with vote before questions can be developed. Frank Maxant urging the JBOS to allow Devens residents the opportunity to vote.

10:10p.m. Ms. Livingston moved the Board adjourn, 2nd by Ms. Conley VOTE: unanimous, so moved.

10:10 meeting adjourned.

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, February 18, 2014-7:00P.M.
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

Chairman Luca called the meeting to order at 7:00p.m. Present: Chairman-Gary J. Luca, Members: Pauline Conley and Jannice Livingston. Mr. Hillman running a few minutes late. Chairman Luca requested if there were any amendments to the Agenda.

Mr. Pontbriand requested the Board's permission to add a Reserve Fund Transfer (RFT) for the Fire Dept. in the amount of \$12,400.00 re purchase of new Turn- out Gear. Chairman Luca advising to his speaking with the Chief and this item being taken up first on the Agenda.

Mr. Pontbriand requested the Board take up the resignation of Selectman Fay. Chairman Luca advising to his taking this up under Announcements.

Ms. Conley requested to address Old Groton Road snow plowing to be taken up under Supt. Wetzel's report.

Announcements- Chairman Luca advised the Board's to the receipt of a letter of resignation from Selectman James Fay on 2-10-14 announcing his resignation effective immediately due to family medical situation requiring his full attention. Chairman Luca thanked Mr. Fay for his many years of service to the Town of Ayer and on the Board as well as many other committees i.e. Memorial Garden, Capital Plan Fire Station Re-Use, etc. and wished him well.

Public Input-Ed Kelley

Mr. Kelley read a prepared statement into the record re his dismay re snow not removed from in front of businesses along Main Street from the past three storms. Mr. Kelley stated his frustration re customers not being able to access stores due to huge piles of snow blocking their passage especially during one of the biggest consumer days of the year Valentine's Day. Mr. Kelley closed with noting the Ayer Town Hall was cleared and the businesses who pay twice the amount in taxes in Town were not. Ms. Conley concurred with Mr. Kelley stating she observed 3' of snow in Depot Sq. area forcing her to walk into street, south side of Main Street completely snow blocked and north side clear of snow, stating we expect property owners to clear snow we should too by setting example. Ms. Conley thanked Mr. Kelley for coming forward. Supt. Wetzel stated the DPW does clear Town Hall but at the end of storm. Supt. Wetzel advising to Police Chief not allowing snow removal operations during the day and he has been trying to schedule removal but unable to get Police detail and getting one storm right after another, and crews exhausted. Supt. Wetzel stating men working around the clock to keep roads open, still out working this evening-men are exhausted, not safe to work. Supt. Wetzel advising to looking to scheduling removal Saturday with required Police Detail. Ms. Livingston also feeling something must be done to clear snow on Main St., stating it should have been taken care of, cant' leave Main St. where no one can park or access stores. Supt. Wetzel advising to looking into other options, using loaders along Main St. and stockpiling near 63 Main St. with problem getting bigger each year with additional new streets being accepted by Town five this year six next year. Supt. Wetzel stated he is looking at contracting out stating there were six plow-able storms this month.

Reserve Fund Transfer-Fire Department-The Board met with Fire Chief-Robert Pedrazzi Chief Pedrazzi advised the Board to turn out gear ten (10) years old and no longer serviceable per National Fire Protection Standard #1851. Gear older than ten years can no longer be used for classes at the State Fire Academy. Chief Pedrazzi stating the purchase of this gear will get the department back on schedule to keep the gear within the ten year limit. Chief Pedrazzi produced a spread sheet depicting age of each members gear with a replacement schedule. Chief Pedrazzi advising to meeting with the Fin-Com on 2-12-14 and receiving their approval of the Reserve Fund Transfer for the turn out gear. Mr. Hillman moved to approve the RFT in the amount not to exceed \$12,400.00, 2nd Ms. Conley, VOTE: unanimous, so moved.

Nashoba Valley Technical School District Fy-15 Budget-The Board met with Supt. Judith Klimkiewicz, Jeannie Savoie, Business Manager, and Ted Januskiewicz, Town of Ayer's Representative to District. Dr. Klimkiewicz ran through the Regions Fy-15 Budget, School program/s offered and proposed assessment for 2014-2015 school year-Ayer \$586,955.00 (49 students) voted on 2-4-14 by NVTSD School Committee. Dr. Klimkiewicz also reviewed proposed warrant article being approved by the MSBA re Nashoba's Accelerated Roof Repair Project to each of the member's Towns advising to the increase projected at approximately \$400-425K. The Board thanked Dr. Klimkiewicz for coming in to meet with the Board. Supt. Klimkiewicz closed with reminder to Board to submit podium design requested by Board from Carpentry/Woodworking Program and advising to Council on Aging catering services also available from Culinary Arts Program for Ayer seniors. (see NVTSD FY-15 Budget-Programs presentation attached).

Ayer Shirley Regional School District-The Board met with Supt. Carl Mock, Pat Kelly, Chairman-Ayer Shirley School Committee and Evan Katz, Business Manager re the preliminary Fy-15 ASRSD Fy-15 Budget. Supt. Mock opened with dilemma re Town of Shirley struggling to pay its share of the regional school budget projected at \$6,290,823.00 and how it will play out re funding, adding Ayer is in a favorable position having the ability to support its assessment for Fy-15 projected at \$10,615,234.00. Supt. Mock advised to \$1.2 million that was not factored into the draft budget and for district to continue as is, the district will need an additional \$700-800K from the two towns. Supt. Mock stated the problem being the assessment formula is wrong which is based upon the number of students instead of the Town/s ability to pay. Mr. Kelly stated the District has been treading water instead of improving the program and need to begin thinking long term. (see ASRSD FY-15 proposed Budget attached). The Board thanked Supt Mock, Mr. Kelly and Mr. Januskiewicz for coming in to meet with the Board.

Supt. Mark Wetzel-Dept. of Public Works-

Deficit Spending-Snow Removal-Supt. Wentzel updated the Board to Fy-14 Snow Removal Budget having a balance of \$596.00 of \$195,987.00 appropriated which does not include all of the snow and ice removal related to last week's storm, and need for additional salt to be able to continue with upcoming storms. Supt. Wetzel reported the Department had 13 plowing and 22 salting events this season. Supt. Wetzel requested the Board's permission to Deficit Spend this account. Ms. Conley moved the Board approve Deficit Spending for the Snow Removal Fy-14 Budget, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Old Groton Road-Ms. Conley reported that as of 4:30p.m. today road was plowed twice, thank you extended to DPW. Mr. Wetzel advising to residents clearing cars from road helped greatly, and private pick-up truck plowed earlier, only one end of road not plowed and DPW went right up and cleared. Supt. Wetzel advising to policy to be developed re plowing of all private roads for Town Meeting. Supt. Wetzel stating DPW very responsive to citizens.

Alicia Hersey, EOCD Financial Manager-Collaborating and Supporting new grant submission for Advocates-the Board met with Ms. Hersey and Hilary Curtis, Program Director Advocates, Inc. Ms. Hersey advised to the Town being approached to again act as host for a \$300K grant to administer a Drug Court Enhancement Grant through the Bureau of Justice Assistance and would complement the current SAMSHA Grant the Town & Advocates is currently running. Ms. Curtis advising to services to be provided would be substance abuse treatment, recovery and sustainability. Ms. Hersey advising to only needing approval to administer grant at this time she will be back later with documentation. Ms. Livingston moved the Board vote to approve the Drug Court's new \$400K Grant submission for Drug Enhancement, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Town-wide Life Insurance Update-Mr. Pontbriand updated the Board to Fin-Com approving increase of Town-wide Life Insurance from \$2K to \$5K. Mr. Pontbriand advising to contract being readied for the Board's 3-4-14 meeting with increase going into effect on 6-1-14. Ms. Conley advised the Board to her

review reflecting upgrade in premium and last bullet on new policy reflecting a significant impact to retirees premium rate/being age factored. Mr. Pontbriand advising the Board to their not voting split rate/percentage share of new policy i.e. employees and retirees. After a short discussion the Board requested Mr. Pontbriand place both of these items: the new contract and percentage share to be borne by the employee/retiree before the Board for their March 4, 2014 meeting.

Town Administrator's Report-The Board officially welcomed back Mr. Pontbriand from his vacation.

1. Business Certificates- Mr. Pontbriand updated the Board to survey being conducted re fees charged for business certificates by neighboring towns averaging from \$20.00 to \$40.00 for four (4) years. The Town of Ayer currently charges \$15.00 for four (4) years. Ms. Livingston moved the Board vote to approve Town charge \$30.00 for Business Certificates for four (4) years, 2nd by Mr. Hillman VOTE: Ms. Livingston aye, Ms. Conley aye, Mr. Hillman aye, Chairman Luca no 3-1- motion passes.

2. RFP-76 Central Ave., Ayer, MA-Affordable Housing Unit and transfer of property -Mr. Pontbriand advising to only one inquiry and request for RFP from North Central MA Habitat for Humanity. RFP closing date is 2-21-14 this award to be placed before Board on 3-4-14.

3. RFP-Fire Station Re-use- Mr. Pontbriand advising to two proposals taken out -closes 3-7-14.

4. Assistant Treasurer's Management Plan-taken off the Agenda due to Board reviewing in Executive Session on 2-3-14.

5. Public Input- Mr. Pontbriand advised to the Public Input updated and placed on Web.

6. Clerk Appointment for Board of Selectmen-Mr. Pontbriand advising with the resignation of Jim Fay from the Board the Clerk's position needs to be filled. Ms. Livingston volunteered to take the Clerk's position. Mr. Pontbriand also advising to calling a Special Election re filling Mr. Fay's seat not required until next election in April 2014. Regulation requires calling a Special Election if vacancy exists for six months or more.

7. OPEB Irrevocable Fund Trust- requesting clarification from Treasurer if this trust has been set up.

8. Mr. Pontbriand advising to Bi-Board next meeting on 3-4-14 re Fy-15 budget.

Chairman Luca re MMA Meeting Report

Chairman Luca advising to his voting yes to three policy resolutions on three key issues:

- Local Aid
- zoning and land use reform
- post employment benefits

Town Counsel solicitations- Chairman Luca advising to his speaking with Kopelman & Paige re Town Counsel services re providing a list of services and cost to be broken-out. Urging them to provide two annual legal updates as previously provided. Rates competitive. Mr. Pontbriand advising to Town Counsel budget over this year by 6% and meeting with Fin-Com re dedicated line for Fy-15 budget. 10:00p.m. Ms. Livingston moved the Board extend the meeting by five minutes, 2nd by Ms. Conley, VOTE: unanimous, so moved.

New Business/Selectmen's Questions-

Mr. Hillman-Truck Traffic-Sandy Pond Rd.

Mr. Hillman requested the Board have the DPW and Police Chief present for the 3-4-14 meeting.

Discussion included exploring truck exclusion before beach opens, noting DPW signs up helping and corner Westford Rd. easier for trucks and cars. Mr. Pontbriand advising to Rep. Benson holding office hours on Monday the 25th and good time to speak with her re Chapter 90 funding.

Selectman Hillman took this opportunity to congratulate Town on two events:

Special Needs Basketball Tournament At the Page/Hilltop School having 51 kids participating and thanking Park Dept. especially Jeff Thomas for coordinating such a successful event.

Father/Daughter Dance held at the Town Hall on Friday, Feb. 7, 2014 wonderful use of the Town Hall everyone had a great time hearing nothing but praises/accolades.

10:10p.m. Ms. Livingston moved to adjourn the meeting 2nd by Mr. Hillman VOTE: unanimous.

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, March 4, 2014-7:00P.M.
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

Chairman Luca called the meeting to order at 7:10p.m. Present: Chairman-Gary J. Luca, Christopher R. Hillman, Vice-Chair, Members: Pauline Conley and Jannice Livingston.

Chairman Luca requested if there were amendments to the Agenda.

Mr. Pontbriand requested the Board's permission to add the following:

- Appointment of Police Dispatcher-to be taken up under the Town Administrator's Report
- Registrar of Voters Appointment-to be taken up under the Town Administrator's Report
- Ms. Conley requested update on McNiff property

Chairman Luca called for a motion to approve the Agenda as amended. Motion to approve the Agenda as amended made by Ms. Livingston, 2nd by Ms. Conley Vote: unanimous, so moved

Announcements-Chairman Luca made the following announcements

- last day to take out nomination papers from the office of the Town Clerk 3-7-14 @5:00p.m.
- last day to return nomination papers to the Office of the Town Clerk 3-10-14 @ 5:00p.m.
- Annual Taste of Nashoba Valley 3-18-14 from 5:30-7:30p.m. at Lawrence Academy
- Curbside Working Group Public Input Meeting 3-20-14 @7:00p.m.-Town Hall

Public Input- Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input, no one came forward.

76 Central Avenue-RFP Award to Habitat for Humanity-The Board met with Alicia Hersey, sitting in for David Maher, Director EOCD and Carolyn Reed from Habitat. Mr. Pontbriand opened the discussion by stating on 2-21-14 the RFP officially closed, the RFP was advertised in the Lowell Sun, Nashoba Publications, the Town's Website and the Secretary of State's Central Register in accordance with MGL C30B- meeting procurement requirements. Mr. Pontbriand advising to only one (1) proposal submitted-Habitat for Humanity of North Central MA. Mr. Pontbriand recommended the Board of Selectmen vote to award the RFP to Habitat for Humanity North Central MA and authorized Mr. Pontbriand to formally prepare the LIP Agreement and other legal required documentation, for the property transfer to proceed, subject to the Boards review and approval. Mr. Hillman moved to award the RFP to North Central MA Habitat for Humanity and authorize Mr. Pontbriand to proceed with next step/documentation for project to proceed, 2nd by Ms. Conley for discussion requesting the cost associated & connection fee/s records be checked and advising to one family filing application for Habitat in Town. Mr. Pontbriand advising to his getting word out to community re organizing a work group to work on the project -local partnership.

Supt. Wetzel's Report-The Board met with mark Wetzel

1. National Grid Easement -Barnum Road-The Board moved to approve the National Grid Easement for Barnum Road-Grove Pond. Motion made by Mr. Hillman 2nd by Ms. Conley, VOTE: unanimous, so moved. (see attached)

2. Town Engineer position- Mr. Wetzel reviewed his memo of 2-25-14 with the Board re his request to fill this position in the Fy-15 Budget. Supt. Wetzel reviewed the need for the position with the increase in responsibilities and new regulations/requirements i.e. stormwater, discharge, new management and operations related programs, maintenance, GIS mapping, water/sewer, on-line permitting/payments etc... Supt. Wetzel reviewed his current work load and projects completed since his employment. Cost-savings to be realized by the Town would include relying less on Engineering Consultants, improving on DPW planning and operations to improve service and efficiency. Closing with the Engineers position will result in better execution of capital projects improved systems and programs to better serve the town

from in-house engineering. Chairman Luca requesting if this position would be administrative and Supt. Wetzel responded no, only operational. Ms. Conley expressed her concern re preliminary budget comparative analysis will look at final numbers later but advised Supt. Wetzel to residents complaining about the hiring of additional personnel. Mr. Pontbriand stating tonight's meeting was to begin discussions re specifics and savings/analysis of need, and not a decision to be made tonight. Rick Skocyzlas resident requested if this would be a question voters could vote on at Town Meeting i.e. when voters reduced Board of selectmen from 5 to 3. Mr. Pontbriand advised to this being a line item in the Omnibus Budget and voters would know the details.

Water Main Replacement/Water Main Improvements Update-Supt. Wetzel updated the Board to his budgeting in Fy-15 \$250K towards infrastructure/replacement of the old water pipes approved by the Capital Planning Com. Funding saved in house re design/construction-approximate savings estimated at \$30K to be put towards project. Supt. Wetzel stating first area in Town to have water pipes replaced will begin on Pleasant St., Howard, Taft and Nashua Streets. Criteria of selection based upon worst pipes in Town i.e. old cast iron/undersized pipes, hoping every year or two to do a street or two. Groton School Road done last year. Supt. Wetzel stating he is also looking at sewer and applying for grant Water Main/Sewer Construction \$500K -Planning Study towards this update. Supt. Wetzel advising to the next water pipe replacement project will include East Main, continuing with Wright Rd. and Shirley Streets who also have pressure problems. Stratton Hill Development also needs infrastructure improvements expressing Planning concerns.

Traffic Study Update- Mr. Hillman stated he brought this issue up again having received another letter from a resident which he distributed to the Board re excessive truck traffic along Sandy Pond Road. Mr. Hillman stated of a bigger concern is the volume of trucks coming up Sandy Pond Rd to Central Avenue. Mr. Hillman advised to truck restrictions in place in Burlington & Littleton, MA. Supt. Wetzel advising to DEP Requirement Process and this would not be eligible plus the legal issues restricting traffic -can't be prohibitive suggesting can't put exclusion but could suggest routes. Mr. Pontbriand advising to MRPC being able to assist re identifying size/types of vehicles traveling on Sandy Pond Rd referring the Board to situation when he was approached by a truck driver seeking directions and told by the driver to his manifest directing him to use these streets questioning who determines this -DOT?. Mr. Hillman requested if patrolmen could pull over trucks and asks them why they are going this way and advised to most truckers using GPS. Supt. Wetzel stating once snow is gone he will place new cross walk on Sandy Pond Rd. that should help to slow things down. Mr. Hillman reviewed and thanked Supt. Wetzel re new signage placement put up being helpful. Discussion returned to Littleton Road/Willow Road intersection MPO Study by Senator Resor back in 2004 with new design of intersection to be picked up by two Towns- and ball dropped. Mr. Skocyzlas suggesting contacting local businesses again and seek their cooperation not to use Sandy Pond Rd. and advised to problem being more with out of town trucks. Mr. Pontbriand and Supt. Wetzel to bring Littleton Rd. /Willow Rd intersection back up at next MPO Meeting. Chief Murray to monitor number of trucks traveling on Sandy Pond Rd. and get count information to Board and Mr. Pontbriand to contact local businesses re restricting truck travel on Sandy Pond Rd. Supt. Wetzel to contact the Town of Littleton re signage points redirecting truck travel before intersection.

Police Dispatcher Appointment-Chief Murray re upgrade of appointment of Chris Herrstrom from Per-diem dispatcher made on 1-21-14 to Part-time Dispatcher to fill the open part-time Dispatcher position vacated by Casey Scott when he filled the full-time Dispatchers position. Ms. Conley moved the Board vote to appoint Christopher Herrstrom to the part-time Dispatchers position as recommended by Chief Murray in a memo dated 2-24-14 to the Board, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Town Administrator's Report- The Board met with Robert Pontbriand

1. St. Mary's Church/St. Patrick's Day Dinner-The Board approved a One Day Beer & Wine License for St. Mary's Church St. Patrick's Day Dinner on March 8, 2014 from 5-9p.m. Motion to approve made by Ms Conley, 2nd by Mr. Hillman VOTE: unanimous, so moved.

2. Gary Archer-G.W. Archer Inc. Mobil Station-Mr. Archer requested the Board's consideration to amend his Beer & Wine Alcohol License restriction Addendum #2 specifically- restricting minors (under the age of 21) to be allowed to be employed by his business requesting new amendment to state minor employees are not allowed to sell, stock or handle alcoholic beverages. Chief Murray stated he had no concerns re this change. Ms. Conley moved the Board vote to delete Addendum #2 in its entirety per State statute, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

3. Appointment of Board's Rep to the Water/Sewer Rate Committee -Ms. Livingston volunteered to be the Board's Rep. to fill vacancy left by Mr. Fay.

4. Town Life Insurance Contract and Contribution Recommendation- Mr. Pontbriand recommended the Board vote to keep the 75 (Town)-25 (employee) percentage split and 50 (Town) - 50(Retiree) percentage status quo, most harmonious approach for a two year guaranteed annual premium of \$21K. Mr. Hillman moved to approve the 75-25% Town& employee percentage split and 50-50 Town/Retiree percentage split as recommended by the Town Administrator, 2nd by Ms. Conley requested copy of actual quote, VOTE: unanimous, moved.

5. Reserve Fund Transfer (RFT)-The Board approved a RFT for Account #01122-51110 Board of Selectmen Secretary Wages -unused vacation time paid upon retirement for retiring secretary Janet Lewis in the amount of \$8,140.00. Ms. Conley moved the Board vote to approve the RFT in the amount of \$8,140.00 to be transferred to this year's line item 01122-51110, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Mr. Pontbriand reviewed with the Board his revised budget proposal depicting a \$7724.00 reduction with room to negotiate re qualifications (DOQ) reduction in this line item based upon current Town Salary Compensation Plan for Grade 8 Step 1-2 for this position.

6. Legal Update-Mr. Pontbriand advised to his budgeting \$85K for the Fy-15 Legal Budget (Town Counsel) and reviewed with the Board his justification for increase of \$7K from \$78K requested for Fy-14 with respect to Fin-Com concerns re the Fy-15 budget:

- Properties Enforcement
- Public acceptance of Streets in Town
- Tax Collector recent issue
- Fire Dept-Joint Labor Relations/superior Officers Contract

Mr. Pontbriand produced ten (10) year history re Town Counsel expenses showing a high of \$150K in Fy-07 to a low of \$66,400 reviewing present legal matters which have arisen and having a significant impact to this line item. Mr. Pontbriand advising to Town counsel preparing a billing analysis for the Board's next meeting. Ms. Conley adding to the list the Town's recent 111F suit to this year's impact. Mr. Pontbriand also advising to Atty. Corbo analysis requested by Ms. Conley re McNiff farm being readied and he will report back on asap.

7. Draft 5-12-14 ATM Warrant- Mr. Pontbriand presented the 1st DRAFT of the 5-12-14 ATM Warrant to the Board for their review and advised the Board to the ASRHS unavailable for this year's ATM due to construction and looking into proper location with Town Moderator, advising to the Great Hall only able to hold 220 people and most recent Town Meeting having 320 in attendance. Mr. Pontbriand advising to deadline for Citizen's petitions being Friday, April 11, 2014 @ 5:00p.m. Ms. Conley questioning why Storm Water funding not being included on warrant and advised to it being moved to Article #13. Cindy Knox, IT Director presented to the Board four (4) designs for the Fy-13 Town Report Cover on the Board's monodpad depicting 2 pictures of Grove Pond, new Street light with Flag displayed on it, and Town Hall with new monument sign. Ms. Conley suggested running them on Town Website and letting the residents decide which one they want on the cover. Mr. Pontbriand advising to number of Town

Report books reduced down to 400, due to residents having ability to review electronically. Mr. Pontbriand requesting the Board considers who they wish to dedicate the 2013 Town Report to for their next meeting.

8. Democratic Town Party Registrar Appointment-Town Clerk-John Canney requested the Board appoint Robert Hammond to the vacant position of Democratic Town Party Registrar replacing the vacant position of Patricia Walsh which expires in 6-30-15. Ms. Conley moved the Board appoint Robert Hammond to the position of Democratic Town Party Registrar for the remaining term of Patricia Walsh expiring on 6-30-15 as recommended by the Town Clerk, 2nd by Ms. Livingston, VOTE: unanimous, so moved. The Board took no action on the appointment of Barbara Wilson the Towns Republican Party Registrar, due to this appointment not expiring until 2017. The Board requested the Town Clerk be asked why this reappointment was before the Board.

General Review and discussion of the DRAFT 2015 Town Budget--the Board met with Scott Houde, Chairman, and John Kilcommins -Vice Chair of the Fin-Com. Present for the discussion Town Accountant-Lisa Gabree. Mr. Pontbriand advising to this discussion being a general review and will remain a standing agenda item until finalization. The budget and warrant are ongoing process leading up to Town Meeting. Mr. Houde presented an overhead presentation of the Fy-15 Town Budget projections to date. (see 3-4-14 update from Scott Houde)

Policy for Remote Participation of Public Meetings-Mr. Pontbriand reviewed with the Board his Draft Policy revised on 11-8-13. Mr. Pontbriand reminded the Board of his recommendation for adoption for public meetings in accordance in the OML with the exception of Executive Session. The Board held a brief discussion re meeting requirements, training members and question if this would bring more problems than solutions, requesting a mandatory training sign off form be implemented. The Board requested a check list be prepared for the Board's next meeting and consult with attorney from AG's Office re using electronic communication re remote participation.

Selectmen's Meeting Night Change- Chairman Luca requested the Board change their 2nd meeting night in March from the 18th to the 25th. Board approved. Next Selectmen's Meeting night 3-25-14.

Selectmen's Questions/New Business-

JBOS- Chairman Luca advising to nothing new to report on

Devens Excess Sewer-Present for the discussion Supt. Wetzel. Mr. Hillman requested analysis of past usage and future capacity, inquiring once we reach 80% do we have a plan if we do not meet. Supt. Wetzel advising to this negotiable i.e. minimum flows presently \$150K- Town can negotiate or pass on to SIU's. Mr. Wetzel reviewed with the Board his current SIU's use status. Mr. Hillman questioning if we (Town) have capacity to handle flows or do we need additional flows. Mr. Pontbriand requested when will the Town get these numbers and make progress to give relief to the taxpayers.

Mr. Wetzel updated the Board to new software installed Department now implementing new reader system; will be able to read whole Town in one day.

Mr. Hillman questioned future staffing of the Building Dept. Town voted for a full-time Building Inspector, advertised the part-time Asst. Building Inspector's position and had poor response-due to the rate set to low for position. The Board to meet with Mr. Vellante April 1, 2014 re achieving what Selectmen want to increase service.

10:00p.m. Ms. Livingston moved to adjourn the meeting 2nd by Mr. Hillman VOTE: unanimous, so moved.