

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



Tuesday, May 6, 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 #1(111F Status and Medical Bills Re: Police Officer M. Power); Exemption #3 Collective Bargaining (Fire Contract Negotiations); Exemption #3 Collective Bargaining (Police Superiors Contract Negotiations)
7:00pm Adjournment from Executive Session for the Purposes of Convening in Open Session

Open Session Meeting Agenda – 7:00pm

- 7:00pm CALL TO ORDER: Review and Approve Agenda; Announcements
7:05pm PUBLIC INPUT
7:15pm Green Communities/Energy Committee Update
Ms. Carolyn McCreary, Chair
7:30pm PUBLIC HEARING – All Alcohol License Application
Ho Hing Restaurant, Inc. d/b/a Empire City, 210 W. Main Street #1, Ayer, MA 01432
7:45pm Mr. Mohammed Kahn – MART Administrator
Ayer Rail Trail Commuter Surface Parking Lot Project Update
8:15pm Mr. Mark Wetzel, DPW Superintendent’s Report
1. Grove Pond Water Treatment Plant Upgrade – Change Order #2: \$40,347.47
2. Paving Contract – 1 Year Extension
3. Wastewater Discharge Permit Update
4. Update on Stormwater Utility Implementation and Proposed Fees/Credits
5. BOS Final Vote on Acceptance of Mt. Laurel Way as a Public Way
8:45pm Town Administrator’s Report
1. Authorization of BOS Letter for “Here to There Transportation, LLC” for Mass Port Authority
2. Review/Awarding of the Former Central Firestation RFP
3. Appointment of Assistant to the Town Administrator and Board of Selectmen
4. Authorization for hiring process for the position of Payroll/Benefits Manager
5. Approval/Adoption of Town-Wide Remote Participation at Meetings Policy
9:15pm New Business/Selectmen’s Questions
1. BOS Policies and Procedures Update – Selectman Livingston
2. Paper Reduction Policy – Selectman Livingston
3. Cleaning of Town Hall – Selectman Hillman
4. Employee Break Room – Selectman Livingston
9:30pm Reorganization of the Board of Selectmen
9:35pm Approval of Meeting Minutes: Apr. 1; Apr. 15, 2014
9:45pm Adjournment



Town of Ayer

AYER BOARD OF SELECTMEN
OPEN SESSION Meeting Agenda and Meeting Packet
Tuesday, May 6, 2014, 7pm
First Floor Meeting Room – Ayer Town Hall

CALL TO ORDER (7:00pm)

Review and Approve Agenda; Announcements

- The Ayer Town Meeting will be held on Monday, May 12, 2014 at 7pm in the Great Hall of Town Hall

PUBLIC INPUT (7:05PM)

GREEN COMMUNITIES/ENERGY COMMITTEE UPDATE (7:15PM)

- Ms. Carolyn McCreary, Chair of the Ayer Green Communities Committee has asked to give a very brief update to the BOS on the projects and savings of the Green Communities/Energy Committee. Ms. McCreary recently made a presentation on the energy savings by the Ayer Green Communities/Energy Committee at the Lowell Sustainability Conference.

PUBLIC HEARING (7:30PM)
ALL ALCOHOL LICENSE APPLICATION

Ho Hing Restaurant, Inc. d/b/a/ Empire City
210 West Main Street #1

- The Owners of Empire City will appear before the BOS seeking Board approval for them to submit an application for an All Alcohol License to the ABCC (See Attached)

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220
Fax. (978) 772-3017

Town Administrator
(978) 772-8210

April 14, 2014

Nashoba Publications
Ayer, MA 01432

re Ho Hing Restaurant D/B/A Empire Garden

Please release the following notice for the periods of April 18, 2014 and April 25, 2014.

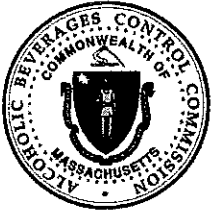
**TOWN OF AYER
PUBLIC HEARING
AYER BOARD OF SELECTMEN**

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, May 6, 2014, at 7:30p.m. at the Ayer Town Hall-1st Floor Meeting Room- 1 Main Street, Ayer, MA re the application by Ai Rong Wang of Roxbury, MA seeking an All Alcoholic Beverages Restaurant License for Ho Hing Restaurant Inc. D/B/A Empire Garden (former Ah Gin Wong) at 210 West Main Street, Ayer, MA pursuant to the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

Gary J. Luca, Chairman
Christopher R. Hillman, Vice-Chairman
Jannice L. Livingston, Clerk
Pauline Conley, Member
AYER BOARD OF SELECTMEN

Thank you,

Janet Lewis, Secretary
SELECTMEN'S OFFICE



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

ABCC License Number

City/Town

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee

EIN of Licensee

D/B/A

Manager

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

Annual or Seasonal

Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials)

Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

1st floor of wood & brick rental unit-family restaurant. (1,650 sq. ft.) which is part of the shopping center known as Devens Shopping Center located at 210 West Main St., Ayer, MA 01432 which includes kitchen, dining area and restrooms. Two entrances onto West Main Street.

Application Filed:

Date & Time

Advertised:

Date & Attach Publication

Abutters Notified: Yes No

Contact Person for Transaction

Phone:

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

Remarks:

The Local Licensing Authorities
 By:

Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

ABCC Remarks:

Application for Retail Alcoholic Beverage License

City/Town

AYER

1. Licensee Information:

Legal Name/Entity of Applicant:(e.g Corporation, LLC, Individual) HO HING RESTAURANT INC.

Business Name (if different): EMPIRE GARDEN

Manager of Record: DA YUAN LIN

ABCC License Number (for existing licenses only):

Address of Licensed Premises: 210 WEST MAIN ST #1

CITY/TOWN: AYER

STATE: MA

ZIP: 01432

Business Phone: 978-772-2518

Cell Phone: 617-510-1061

Email:

Website:

2. Transaction:

- New License New Officer/Director Transfer of Stock Issuance of Stock
 Transfer of License New Stockholder Management/Operating Agreement

The following transactions must be processed as new licenses:

- Seasonal to Annual 6-Day to 7-Day License Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS: The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. Type of License:

- \$12 Restaurant \$12 Hotel \$12 Club \$12 Veterans Club
 \$12 General On-Premise \$12 Tavern (No Sundays) \$15 Package Store

4. License Category:

- All Alcoholic Beverages Wine & Malt Beverages Only Wine or Malt Only
 Wine & Malt Beverages with Cordials/Liqueurs Permit

5. License Class:

- Annual Seasonal

6. Contact Person concerning this application (attorney if applicable)

NAME: CHRISTOPHER FARNSWORTH
ADDRESS: 200 LINCOLN ST STE 404
CITY/TOWN: BOSTON STATE MA ZIP CODE 02111
CONTACT PHONE NUMBER: 617-457-8110 FAX NUMBER: 617-457-8112
EMAIL: INFO@FARNSWORTHLEGAL.COM

7. Description of Premises:

Please provide a complete description of the premises to be licensed. The description should include the location of all entrances and exits.

The Premises have an approximately 1,650 square feet. The premises will be operated as a Chinese restaurant and have about 12 tables and 4 bar table seats which have a total of 45 seats. There are 1 main entrance and a side door located in the front of the restaurant, 2 back doors located at the back of the kitchen. There are a total of 2 lavatories with full hand sink. Please refer to the floor plan for further information.

IMPORTANT ATTACHMENTS: The applicant must attach a floor plan with dimensions and square footage for each floor & room.

Occupancy Number: 50 Seating Capacity: 45

8. Occupancy of Premises:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS: The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises. Other:

Landlord is a(n): LLC Other
Name: DEVENS SHOPPING CENTER LLC Phone: 781-258-6266
Address: 20 CHARLES DRIVE City/Town: CANTON State MA Zip 02021
Initial Lease Term: Beginning Date 2/1/2014 Ending Date 1/31/2024
Renewal Term: Options/Extensions at Years Each
Rent: \$28,800.00 per year Rent: \$2,400.00 per month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

IMPORTANT ATTACHMENTS: If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest in the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.

9. Licensee Structure:

The Applicant is a(n): Other:

If the applicant is a Corporation or LLC, complete the following:

State of Incorporation/Organization: Date of Incorporation/Organization:

Is the Corporation publicly traded? Yes No

10. Interests in this License:

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS: All individuals or entities listed below are required to complete a Personal Information Form.

Name	Title	Stock or % Owned	Other Beneficial Interest
AI RONG WANG	MEMBER	100%	NONE
DAYUAN LIN	MANAGER	0%	MANAGER ON RECORD

*If additional space is needed, please use last page.

11. Existing Interests in Other Licenses:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No **If yes, list said interest below:**

Name	License Type	Licensee Name & Address
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	

*If additional space is needed, please use last page.

12. Previously Held Interests in Other Licenses:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No **If yes, list said interest below:**

Name	Licensee Name & Address	Date	Reason Terminated
BEIJING TOKYO REST.	BEIJING TOKYO RESTAURANT - OAK STREET, NEWTON MA	01/01/2008	Tranferred
SZECHUAN CAFE	88 HAVERHILL RD, AMESBURY MA	01/01/2003	Tranferred
			Please Select

13. Disclosure of License Disciplinary Action:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No **If yes, list said interest below:**

Date	License	Reason of Suspension, Revocation or Cancellation

14. Criminal Record:

Has any individual listed in §10 or who has a direct or indirect beneficial interest in this license ever been convicted of a municipal, state, federal or military crime? Yes No

If yes, the individual must provide an affidavit as to any and all charges as well as the disposition.

15. Citizenship and Residency Requirements for a (§15) Package Store License ONLY:

- Are all Directors/LLC Managers U.S. Citizens? Yes No
- Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
- Is the License Manager or Principal Representative a U.S. Citizen? Yes No
- Are all members and partners involved at least twenty-one years old? Yes No

16. Citizenship and Residency Requirements for (§12) Restaurant, Hotel, Club, General On Premise, Tavern, Veterans Club License ONLY:

- Are all Directors/LLC Managers U.S. Citizens? Yes No
- Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
- Is the License Manager or Principal Representative a U.S. Citizen? Yes No

17. Costs Associated with License Transaction:

A. Purchase Price for Real Property:	\$0.00
B. Purchase Price for Business Assets:	\$10,000.00
C. Costs of Renovations/Construction:	\$0.00
D. Initial Start-Up Costs:	\$0.00
E. Purchase Price for Inventory:	\$0.00
F. Other: (Specify)	\$0.00
G: TOTAL COST	\$10,000.00
H. TOTAL CASH	\$2,000.00
I. TOTAL AMOUNT FINANCED	\$8,000.00

IMPORTANT ATTACHMENTS: Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash should include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

18. Provide a detailed explanation of the form(s) and source(s) of funding for the costs identified in §17 (include loans, mortgages, lines of credit, notes, personal funds, gifts):

\$2000.00 - Funds on hand
 \$8000.00 - Loan by Landlord to payoff in time

*If additional space is needed, please use last page.

19. List each lender and loan amount(s) from which "total amount financed" noted in subsections 17(I) will derive:

Name	Dollar Amount	Type of Financing
DEVENS SHOPPING CENTER LLC	\$8,000.00	PAYOFF OVER TIME

*If additional space is needed, please use last page.

Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

20. Pledge: (i.e. collateral for a loan)

Is the applicant seeking approval to pledge the license? Yes No

If yes, describe terms and conditions and to whom:

If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

If yes, to whom:

Number of Shares

Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS: If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

21. Construction of Premise

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

REPAINTING THE WALLS

If all the information is not completed the application may be returned

APPLICANT'S STATEMENT

I, AI RONG WANG the: sole proprietor; partner; corporate principal; LLC/LLP member of HO HING RESTAURANT INC., hereby submit this application for ALL ALCOHOL LICENSE (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: AI RONG WANG

Date 3/21/2014

Title MEMBER President



William Francis Galvin
Secretary of the Commonwealth of Massachusetts



Corporations Division

Business Entity Summary

ID Number: 001125755

[Request certificate](#)

[New search](#)

Summary for: HO HING RESTAURANT INC

The exact name of the Domestic Profit Corporation: HO HING RESTAURANT INC		
Entity type: Domestic Profit Corporation		
Identification Number: 001125755		
Date of Organization in Massachusetts: 01-15-2014		
Last date certain:		
Current Fiscal Month/Day: 12/31		Previous Fiscal Month/Day: 12/31
The location of the Principal Office:		
Address: 210 WEST MAIN STREET		
City or town, State, Zip code, AYER, MA 01432 USA		
Country:		
The name and address of the Registered Agent:		
Name: CHRISTOPHER FARNSWORTH		
Address: 200 LINCOLN ST SUITE 404		
City or town, State, Zip code, BOSTON, MA 02111 USA		
Country:		
The Officers and Directors of the Corporation:		
Title	Individual Name	Address
PRESIDENT	AI RONG WANG	1990 COLUMBIA AVE ROXBURY, MA 02119 USA
TREASURER	AI RONG WANG	1990 COLUMBIA AVE ROXBURY, MA 02119 USA
SECRETARY	AI RONG WANG	1990 COLUMBIA AVE ROXBURY, MA 02119 USA
DIRECTOR	AI RONG WANG	1990 COLUMBIA AVE ROXBURY, MA 02119 USA
DIRECTOR	DA YUAN LIN	1990 COLUMBIA AVE ROXBURY, MA 02119 USA

MR. MOHAMMED KAHN – MART ADMINISTRATOR (7:45PM)

Ayer Rail Trail Commuter Surface Parking Lot Project Update

- Mr. Kahn, MART Administrator will appear before the BOS to make a project update on the Ayer Rail Trail Commuter Surface Parking Lot Project and answer any questions the BOS may have.

MR. MARK WETZEL, DPW SUPERINTENDENT'S REPORT (8:15PM)

Mr. Wetzel will appear before the BOS regarding the following items:

1. Grove Pond Water Treatment Plant Upgrade – Change Order #2: \$40,347.47 (See Attached)
2. Paving Contract – 1 Year Extension (See Attached)
3. Wastewater Discharge Permit Update (See Attached Memo)
4. Update on Stormwater Utility Implementation and Proposed Fees/Credits (See Attached Memo)
5. BOS Final Vote on Acceptance of Mt. Laurel Way as a Public Way

DEPARTMENT OF PUBLIC WORKS

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



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

MEMORANDUM

Date: May 6, 2014
To: Board of Selectmen
From: Mark Wetzel, P.E., Public Works Superintendent
Subject: **Meeting Agenda Items**

Please find attached for your review and/or approval:

1. Grove Pond Water Treatment Plant Upgrade - Change Order No. 2 - Attached is Change Order No. 2 for the Grove Pond Water Treatment Plant Upgrade Project. The Change order includes 14 items occurring during the project. This CO is for \$40,347.47 which brings the contract total to \$2,021,366.47. I recommend acceptance of this Change Order for signature by the Chairman.
2. Paving Contract - 1 Year extension - The annual paving contract with PJ Albert is based on a 1-year agreement with two additional 1 year extensions. I recommend that we execute a 1 year extension to the contract for execution by the Chairman. Based on our proposed projects, this contract extension will be approximately \$400,000 which will be reimbursed through the Chapter 90 Program.
3. Wastewater Discharge Permit Update - See memo
4. Update on Stormwater Utility Implementation and proposed fees / credits - See memo.

Change Order

No. 2

Date of Issuance: April 23, 2014

Effective Date: April 23, 2014

Project: Ayer Grove Pond Water Treatment Facility and Wells Expansion	Owner: Town of Ayer	Owner's Contract No.: 1
Contract: Ayer Grove Pond Water Treatment Facility and Wells Expansion	Date of Contract: April 2, 2013	
Contractor: Winston Builders Corporation	Engineer's Project No.: 01065	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Item No. 1 –Electrical Duct Bank Foundation Modifications: Additional compensation for work required due to the existing location of concrete encased electrical duct bank deviating from the record location, which conflicted with the proposed foundation at the water treatment facility. See Attachment No. 1 for additional information.

Total cost: \$3,648.00

Item No. 2 – Grinder Pump Panel and Wiring Relocation: Additional compensation for work required to temporarily relocate the grinder pump panel and conduit which conflicted with the proposed foundation at the water treatment facility. Relocate panel on Treatment Facility Building after completion of new office area. See Attachment No. 2 for additional information. Total cost: \$2,571.85

Item No. 3 – Precast Well Building Surge Anticipating Valve: Additional compensation for work at the request of the Owner for furnishing and installing a surge anticipating valve at the precast well building. See Attachment No. 3 for additional information. Total cost: \$2,212.00

Item No. 4 – Water Treatment Facility Pipe Gallery Replacement: Additional compensation for work at the request of the Owner for replacing approximately 15 linear feet of 8-inch ductile iron pipe on the raw water line within the below grade pipe gallery at the treatment facility. See Attachment No. 4 for additional information. Total cost: \$5,824.05

Item No. 5 – Eyewash/Shower Piping Relocation: Additional compensation for work required to relocate the eyewash/shower station piping conflict with chemical containment wall at the water treatment facility. See Attachment No. 5 for additional information. Total cost: \$1,274.57

Item No. 6 – Greensand Filter Piping Modifications: Additional compensation for work required for the modification of proposed piping connections to the greensand filters due to deviations of the record piping arrangement below the ¾-inch stone floor at the water treatment facility. See Attachment No. 6 for additional information. Total cost: \$2,211.36

Item No. 7 – Hydrant Exchange: Additional compensation for the restocking fee for returned hydrants. See Attachment No. 7 for additional information. Total cost: \$889.20

Item No. 8 – Stormwater Berm: Additional compensation for work required for the bituminous concrete stormwater berm at the water treatment facility. This item was previously deleted by the Contractor in Change Order No. 1 as part of Item No. 1 – Backwash Recycle System. See Attachment No. 8 for additional information. Total cost: \$3,500.00

Attachments (list documents supporting change):

Item No. 9 – Propane Vaporizer: Additional compensation for work required for the furnishing and installation of a propane vaporizer at the precast well building propane tanks as required by the propane supplier. See Attachment No. 9 for additional information. Total cost: \$6,234.32

Item No. 10 – Transfer Pump Exchange: Additional compensation for the exchange of three (3) 480 volt transfer pump motors for three (3) 120 volt pump motors at the water treatment facility. See Attachment No. 10 for additional information. Total cost: \$1,300.00

Item No. 11 – Insulation at Precast Well Building: Additional compensation for work at the request of the Owner for the installation of interior insulation at the precast well building. See Attachment No. 11 for additional information. Total cost: \$7,900.00

Item No. 12 – Fiber Optic Conduit: Additional compensation for work required associated with the installation of 100 linear feet of 1-1/4-inch conduit to connect the existing fiber optic cable in the water treatment facility electric room to the MTU. See Attachment No. 12 for additional information. Total cost: \$2,318.37

Item No. 13 – Exterior Light Relocation: Additional work required due to the existing treatment facility exterior light conflicting with the proposed roof installation. See Attachment No. 13 for additional information. Total cost: \$963.75

Item No. 14 – Potassium Permanganate Tank Pad Credit: Credit for the deletion of the demolition of the potassium permanganate concrete pad at the water treatment facility. See Attachment No. 14 for additional information. Total value: (\$500.00)

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$2,297,889.00

Decrease from previously approved Change Orders No. 1 to No. 2:

\$316,870.00

Contract Price prior to this Change Order:

\$1,981,019.00

Increase of this Change Order:

\$40,347.47

Contract Price incorporating this Change Order:

\$2,021,366.47

Original Contract Times: Working days Calendar days

Substantial completion (days or date): 335

Ready for final payment (days or date): 365

Increase from previously approved Change Orders No. 1 to No. 2:

Substantial completion (days): 0

Ready for final payment (days): 0

Contract Times prior to this Change Order:

Substantial completion (days or date): 335

Ready for final payment (days or date): 365

Increase of this Change Order:

Substantial completion (days): 30

Ready for final payment (days): 60

Contract Times with all approved Change Orders:

Substantial completion (days or date): 365

Ready for final payment (days or date): 425

RECOMMENDED:

ACCEPTED:

ACCEPTED:

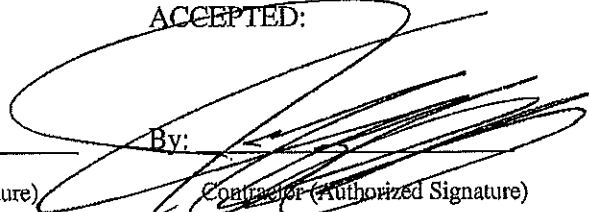
By: 

Engineer (Authorized Signature)

Date: April 23, 2014

By: _____
Owner (Authorized Signature)

Date: _____



Contractor (Authorized Signature)

Date: 04-23-14

Approved by Funding Agency (if applicable):

Date: _____

AMENDMENT NO. 1
ROAD PAVING CONSTRUCTION AGREEMENT
Subject of Amendment: One Year Renewal Term

1. Background Data:

- a. Effective Date of Agreement: April 16, 2013
- b. OWNER: Town of Ayer, One Main Street, Ayer MA 01432
- c. Contractor: P.J. Albert, Inc., PO Box 2165, Fitchburg, MA 01420
- d. Contract Term: 3 years with two consecutive 1-year extensions

2. Nature of Amendment

- a. One year extension of Contract Term

3. Description of Modifications

- a. Contract is extended for one year effective May 6, 2014 through May 5, 2015 in accordance with Agreement paragraph 1.01

OWNER and CONTRACTOR hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is May 6, 2014 .

OWNER: Ayer Board of Selectmen

CONTRACTOR:
P.J. Albert, Inc.

By: _____
Title: Chairman

Title:

Date Signed: _____

Date Signed: _____

DEPARTMENT OF PUBLIC WORKS

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

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

Memorandum

Date: May 1, 2014

To: Ayer Board Of Selectmen

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

Re: Wastewater NPDES Permit Renewal

As I presented to the Board at the April 15 meeting, the EPA is in the process of finalizing the new NPDES discharge permit for the wastewater treatment plant. There are limits on aluminum, lead and copper in the new permit that the Town does not consistently meet and the EPA would like to include a compliance schedule in the permit. The alternative is to wait until the permit is finalized, there is a violation and negotiate an Administrative Order with the EPA.

When I met with the EPA in early April, I told them that with elections and Town Meeting, it would be difficult for the Board to make a decision until sometime in June. However, the EPA has asked me to discuss this again and get a preliminary indication as to whether the Town is willing to consider this.

The NPDES permit is issued for a 5 year period and establishes the wastewater treatment parameters, testing, reporting and other wastewater operational requirements. The parameters in the proposed permit that could impact the wastewater treatment operations include:

Aluminum- We currently use alum to assist in the removal of phosphorus. The aluminum limit will require us to evaluate different processes and chemical modifications in order to comply with this new limit. We may also need to evaluate the influent from the commercial / industrial users to see if we can reduce the aluminum and phosphorus entering the WWTP.

Lead and copper - We do not have enough data to determine the impact of these new limits. We are also implementing corrosion control treatment at the two water treatment plants, which should reduce the lead and copper in the WWTP influent. However, these facilities will not be fully operational until late this year and it will take some time to optimize the process and determine the level of reduction.

There are some other new requirements in the proposed permit, mostly related to additional testing and collection system management.

I have discussed the option of including a compliance schedule in the permit versus negotiating an Administrative Order with our Special Counsel, Don Anglehart. He said the most important consideration is to make sure we have enough time in the schedule to evaluate the existing conditions, alternatives, costs, secure funding and design and construct any required facilities.

May 1, 2014

Memo to BOS re: NPDES Permit

Based on my discussion with Mr. Anglehart and the EPA, my recommendation is to propose a realistic compliance schedule to the EPA for inclusion in the NPDES permit. If we cannot negotiate a reasonable schedule, then we proceed with a permit without a schedule and negotiate and Administrative Order if we cannot meet the permit.

If the Board concurs with this approach, I will let the EPA know that we will develop a compliance schedule, which will need to be reviewed and approved by the Board and I will submit the proposed schedule to the EPA in June

DEPARTMENT OF PUBLIC WORKS

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

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

Memorandum

Date: May 1, 2014

To: Board of Selectmen

From: Mark Wetzel P.E., Public Works Superintendent / Stormwater Committee

Re: Stormwater Utility Update

This memo will provide a summary of the Town of Ayer Stormwater Utility / Enterprise Fund implementation and a recommended plan to implement the rate structure.

As you know, the Town voted to establish a Stormwater Utility Enterprise Fund at May 2011 Town Meeting. We formed a Stormwater Committee to assist in the steps required to implement the utility. We have also engaged consultants to assist with several technical tasks necessary for implementation. The Committee is finalizing our recommendations for a rate structure, credit policy and regulations and will present this to the Board at a future meeting.

Rate Structure - The recommended rate structure is a monthly flat rate, based on the amount of impervious cover on the parcel. Typically, residential properties are assessed a flat rate, based on the average amount of impervious cover on the residential lots. This is referred to as the Equivalent Residential Unit (ERU). Based on the analysis of Ayer's residential properties, the recommended ERU is 2,500 square feet. Multi-family, apartments, condominiums and non-residential properties will be assessed based on the impervious cover, expressed as ERUs. For example, a commercial property with 7,500 SF of impervious cover, would be charged at a rate of 3 ERUs.

The rate would be calculated based on the proposed operating and capital (annualized) budgets. The initial rate will need to include an allowance for rate credits, which will be implemented during the first year.

Rate Credits - We propose implementing a credit program to offset the stormwater rates based on implementation of approved stormwater management practices. The maximum recommended credit would be up to 50% of the total rate for the specific property, depending upon the type of stormwater management implemented. The credit process, details, application, approval and percent rate reduction would be detailed in a Stormwater Rate Credit Manual, managed by the DPW.

Implementation - In order to implement the Stormwater Utility Rates and Credits, we recommend the following:

- Finalize the rate structure / revenue projection with Stormwater Committee
- Finalize the master billing list
- Develop draft Stormwater Regulations, Rate Ordinance and Stormwater Credit Manual
- Meet with Ayer Board of Selectmen and present the Stormwater Utility Rate Structure, Regulations, Ordinance and Credit Manual at a public meeting
- Implement Stormwater Rate in Summer, 2014.

TOWN ADMINISTRATOR'S REPORT (8:45PM)

1. Authorization of BOS Letter for "Here to There Transportation LLC" for the Mass Port Authority (See Attached)
2. Review/Awarding of the Former Central Firestation RFP (See Attached Memo)
3. Appointment of Assistant to the Town Administrator and Board of Selectmen
4. Authorization for hiring process for the position of Payroll/Benefits Manager (See Attached Memo)
5. Approval/Adoption of Town-Wide Remote Participation at Meetings Policy (See Attached)

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220
Fax. (978) 772-3017

Town Administrator
(978) 772-8210

May 6, 2014

**Massachusetts Port Authority
One Harborside Drive-Suite 2005
Logan International Airport
East Boston, MA 02128-2909**

Att: Ground Transportation

**re: Here To There Transportation, LLC
Ayer, MA 01432**

Dear Sir/Madam:

The Town of Ayer, MA does not have private limousine/Livery requirements and has no objection to Here to There Transportation, LLC operating within and through its boundaries.

Sincerely,

**Gary J. Luca, Chairman
AYER BOARD OF SELECTMEN**

cc: Ayer Police Department

file

4/23/14

Scheduled for 5/6/14

7:15 pm

Ayer Board of Selectman.



To Whom it May Concern,

I am a licensed livery operator (see attached).

I am pursuing my MassPort authorization at Logan International Airport.

One of the requirements which must be met by me is a letter from the Ayer Board of Selectman's authorization to operate within and through the towns boundaries.

Joanne Mallesch
Here to There Transport, LLC
100 Washington St
Apt 3
Ayer MA 01432

Joanne Mallesch

ATTACHMENT B

SAMPLE CITY/TOWN LETTER

Official City/Town Letterhead

Date: _____

Massachusetts Port Authority
One Harborside Drive / Suite 200S
Logan International Airport
East Boston, MA 02128-2909
Attention: Ground Transportation

re: Here to There Transport, LLC
Ayer MA 01432

Dear Sir/Madam:

The City/Town of _____ does not have private limousine/livery

requirements and has no objection to _____ [name] _____ operating within and

through its boundaries.

Sincerely,

{Signature of duly authorized official}



CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this certificate

RMV Division

PLATE TYPE LVN	REGISTRATION NUMBER LV66882	REGISTRATION TYPE LIVERY	EFFECTIVE DATE 04/23/14	EXPIRES LAST DAY OF →	MONTH 02	YEAR 16	TRANSACTION NUMBER 01411366040114										
MFRS MODEL YEAR 2011	MAKE INFI	MODEL EX35	BODY STYLE/TYPE STWAG	COLOR GRAY	Not valid without official signature of Registrar		IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED. 06										
VEHICLE IDENTIFICATION NUMBER JN1AJ0HR2BM853969			INSURANCE COMPANY LANCER INSURANCE	TITLE NUMBER	REGISTRAR <i>Celia J. Blue</i>		TOTAL REGISTERED WEIGHT FOR A COMMERCIAL VEHICLE OR TRAILER.										
RESIDENTIAL ADDRESS (IF DIFFERENT)																	
NAME(S) OF OWNER(S) AND MAILING ADDRESS HERE TO THERE TRANSPORT LLC 100 WASHINGTON ST APT 3 AYER, MA 01432-1153					FEES <table style="width: 100%; border-collapse: collapse;"> <tr><td>REGISTRATION</td><td style="text-align: right;">90.00</td></tr> <tr><td>TITLE</td><td style="text-align: right;">75.00</td></tr> <tr><td>SPECIAL PLATES</td><td style="text-align: right;">0.00</td></tr> <tr><td>SALES TAX</td><td style="text-align: right;">1545.31</td></tr> <tr><td>TOTAL</td><td style="text-align: right; border-top: 1px solid black;">1710.31</td></tr> </table>			REGISTRATION	90.00	TITLE	75.00	SPECIAL PLATES	0.00	SALES TAX	1545.31	TOTAL	1710.31
REGISTRATION	90.00																
TITLE	75.00																
SPECIAL PLATES	0.00																
SALES TAX	1545.31																
TOTAL	1710.31																
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION The records of the RMV database constitute the official status of the vehicle registration.																	

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS _____ _____ CITY, STATE, ZIP CODE _____
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Important Information for Vehicle Owners

- Every person operating a motor vehicle shall have the Certificate of Registration for the motor vehicle and for the trailer, if any, and his/her license to operate, upon his/her person or in the vehicle, in some easily accessible place.
- By law, you must report any change of address to the RMV within 30 days in writing. Address changes can be made on the RMV website: www.massrmv.com or by mail to: RMV, P.O. Box 55889, Boston, MA 02205-5889. Once you have reported the address change to the RMV, please write corrected address in box provided above.
- Return the registration plates to the RMV immediately if:
 - The vehicle has been sold or junked and the registration is not going to be transferred to another vehicle. Keep a copy of the *Bill of Sale, Title*, and completed *Reassignment of Title* for your records to document the transfer.
 - You move to another state and you register the vehicle in that state.
 - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.

Transferring Your Plates: Massachusetts law (M.G.L. Chapter 90, Section 2) allows you to transfer **valid registration plates from this vehicle to a newly acquired new or used motor vehicle or trailer** while you obtain insurance and a new registration. **All** of the following must be met: **1.** You are at least 18 years of age and you own the motor vehicle or trailer identified on this *Registration Certificate*; **2.** You transfer ownership of this vehicle to another person or permanently lose possession of it (such as through repossession, etc.); **3.** The newly acquired vehicle is of the **same vehicle type** (passenger vehicle to passenger vehicle, trailer to trailer, etc.); the **same registration type** (passenger to passenger, commercial to commercial); and has the **same number of wheels**; and, **4.** The **seller and buyer** properly complete the Assignment of the Certificate of Title (for the newly acquired "used" vehicle) or Certificate of Origin (if a "new" vehicle). If **all** of the above are met, you may operate the newly acquired vehicle with the transferred plates **up to 5:00 pm of the 7th calendar day** following the date of transfer (or loss of possession). The day of transfer or loss is day #1. During those 7 days, you **must** carry the *Bill of Sale* (or the dealer's *Purchase Contract*) for the newly acquired vehicle **and this Registration Certificate** when operating the vehicle. See *FAQs About the Seven-Day Registration Transfer Law* on the RMV's website at www.massrmv.com.

No Insurance Card Required: Massachusetts's law does **not** require an insurance card. The law, M.G.L. Chapter 90, Section 34A and Chapter 175, Section 113A requires the vehicle's owner to maintain a compulsory motor vehicle liability insurance policy or bond for bodily injury coverage and property damage insurance. If an insurer is identified on the face of this *Registration Certificate*, it is required by law to electronically notify the RMV (Registry of Motor Vehicles) if coverage lapses. The vehicle owner is then notified by the RMV to obtain new insurance within 10 days or the registration will be revoked. Bonds are filed with the State Treasurer's office.

Be first in line by going online at www.massrmv.com

- | | |
|---------------------------------|----------------------------------|
| Schedule a Road Test | Request a Duplicate Title |
| Renew Your Driver's License | Request a Duplicate Registration |
| Renew Your Registration | Change Your Address |
| Pay Citations/Court Hearing Fee | Cancel My Plate/Registration |
| Replace Your Driver's License | Order a Special Plate |

NEED TO VISIT AN RMV OFFICE?
SAVE TIME
 Complete Your
Application Online!

VISIT OUR WEBSITE FOR A FULL LIST OF AVAILABLE TRANSACTIONS

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220
Fax. (978) 772-3017

Town Administrator
(978) 772-8210

January 22, 2013

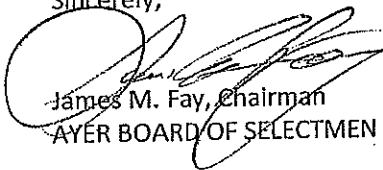
Massachusetts Port Authority
One Harborside Drive-Suite 200S
Logan International Airport
East Boston, MA 02128-2909
Attention: Ground Transportation

re: **Tim's Transport LLC**
Ayer, MA 01432

Dear Sir/Madam:

The Town of Ayer, MA does not have private limousine/livery requirements and has no objection to Tim's Transport LLC operating within and through its boundaries.

Sincerely,


James M. Fay, Chairman
AYER BOARD OF SELECTMEN

cc: Ayer Police Department
file

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220
Fax. (978) 772-3017

Town Administrator
(978) 772-8210

MEMORANDUM

DATE: May 2, 2014

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Procedure(s) for Review/Awarding of Former Central Firestation RFP

The Board of Selectmen should follow the following guidance with respect to reviewing/awarding the RFP for the Former Central Firestation:

1. Selectmen should individually complete their RFP Evaluation Sheets and bring them to Tuesday's meeting completed. (The BOS already has both RFPs and both RFPs are also available on the Town's website under the "March 25, 2014 BOS Meeting Packet")
2. The Town Administrator will present the BOS Chair with the two sealed price proposals for which the BOS Chair should publically open the two sealed price proposals and announce.
3. The BOS should then publically deliberate on which of the two RFPs they would like to award.
4. The BOS has three options:
 - a. Award the RFP by majority vote that best meets the criteria including but not limited to price; or
 - b. Decide to set up interviews with each of the two RFP respondents prior to awarding the RFP; or
 - c. Reject both RFPs if they are deemed not to be in the Town's best interests.
5. If the BOS decides to award the RFP, they should then vote to authorize the Town Administrator with Town Counsel to prepare a Purchase and Sales Agreement subject to BOS review and approval.

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220
Fax. (978) 772-3017

Town Administrator
(978) 772-8210

MEMORANDUM

DATE: May 2, 2014

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Ayer Town Administrator

SUBJECT: Authorization for Hiring Process for the position of Benefits/Payroll Manager

The time is long overdue for the Town of Ayer to update, modernize, and develop a professional Benefits/Payroll Department that works closely and cooperatively with the Town Administrator, Finance Director, and the Administrative Department Heads all under the Board of Selectmen with the purposes of ensuring federal, state and local compliance with all employee and retiree benefits and payroll as well as a dedicated, qualified professional with Department Head Status that can proactively and professionally manage the Town's payroll and benefits and provide essential human resources training to Town Employees.

For over four years, since before my arrival in August of 2010, the "political tug-of-war" between the Board of Selectmen and the Treasurer over this issue has generated nothing but significant costs both in legal fees and in employee productivity at the expense of the taxpayers of Ayer. The position of Assistant Treasurer has become a historical anachronism. The position description dates back to 1991 (almost 25 years old) and a survey of Massachusetts Communities with the workforce and budget the size of Ayer's have or are in the process of evolving into having a professional human resources department. *The Town of Ayer deserves the same.*

On November 27, 2012 the Ayer Personnel Board voted to recommend the reclassification of the Assistant Treasurer's Position to that of Benefits/Payroll Manager (See attached job description).

On December 18, 2012 despite the Ayer Personnel Board's recommendation which was at the original request of the Board of Selectmen, the reclassification did not pass by one vote. At the time two major concerns were prevalent: 1.) Appointing authority; and 2.) Cost.

With respect to Appointing Authority. A structural problem exists in that under MGL, the appointment of an Assistant Treasurer is a Joint Appointment subject to approval by the Board of Selectmen. This structural aspect of the current arrangement has placed two elected, appointing authorities at odds resulting in a costly stalemate at the expense of the taxpayers. Additionally, all of the Town's benefits (under the BOS by MGL), personnel records (under the BOS by MGL, and the interconnectivity of the payroll to the Union Contracts and other personnel matters, only

makes sense that the position of Benefits/Payroll Manager would reside under the appointing authority of the Town's Chief Executive Body (the Board of Selectmen).

With respect to Cost. In 2012, the Personnel Board internally reclassified the position resulting in a high grade of Grade 12 which put the position at an approximate 20% increase for the incumbent position holder. This raised concerns by the Fin Com and some BOS members. The HRS Study which was a third-party, professional, independently conducted study has graded the position at a Grade 8 and within a reasonable pay range for a professional possessing the skills and experience of the job description.

HRS came to analyze the position as a result of the ongoing political controversy between the Treasurer and the Board of Selectmen. The Town Administrator submitted both the positions of Assistant Treasurer and Benefits/Payroll Manager to be included for third-party, professional, objective analysis by HRS who conducted the Town's non-union personnel compensation and classification study.

Attached is the DRAFT/Proposed job description as developed by HRS (See attached). Of additional interest is that HRS has proposed a classification of the Benefits/Payroll Manager to be a Grade 8 with a pay range of \$41,467.68 to \$53,097.84 (See attached).

With the recent and unexpected resignation of the Assistant Treasurer who over her 15 year tenure provided various professional services to the Town in the realm of benefits and human resources which falls under the Board of Selectmen, the need and the opportunity presents itself for the Town to move in the right direction.

With the lack of a quorum on the Personnel Board and the vacancy in the joint-appointed position of Assistant Treasurer, now is the time to move forward to find the most qualified, professional individual to manage the Town's payroll and benefits.

The current, outdated Assistant Treasurer Position which is largely clerical/data input in nature does not meet the increasingly technical and legally required needs of the Town. Additionally, the Joint Appointment of the position has and will continue the "political tug-of-war" which is not necessary since the functions of the position are almost entirely under the authority of the Board of Selectmen.

Therefore, I am respectfully recommending that the Board of Selectmen authorize the Town Administrator to proceed with the hiring process of a Benefits/Payroll Manager who will be appointed by the Board of Selectmen and serve as a Department Head reporting to the Town Administrator. The recommended job description is either the one approved by the Personnel Board or the one developed by HRS. The recommended salary range would be that set forth by the HRS study.

Furthermore, I am respectfully recommending that the Board of Selectmen authorize and appoint the following Benefits/Payroll Manager Screening Committee:

- The Town Administrator (R. Pontbriand)
- The Town Treasurer (S. Gintner)
- Town Finance Director (L. Gabree)
- Vice-Chairman of the Finance Committee (J. Kilcommins)
- The Fire Chief (R. Pedrazzi)

The Committee will be charged with screening candidates and making a formal recommendation(s) to the Board of Selectmen.

Thank you for your time and consideration.

Cc: Town Treasurer
Ayer Finance Committee
Finance Director
Fire Chief

BENEFITS/PAYROLL MANAGER

DEFINITION

Deals with all payroll, benefits, and human resource administration. This position performs highly technical and administrative tasks that require the utmost level of confidentiality. This requires a considerable need for initiative, self-direction, the exercise of good judgment and discretion. Assists the Town Administrator with personnel and collective bargaining issues related to payroll and benefits.

SUPERVISION

Works under the general direction of the Town Administrator and Board of Selectmen.

Performs highly responsible functions in accordance with prescribed procedures and policies, which require good organization skills; contacts are in person, by telephone and in writing and involves discussing benefits and payroll matters.

May supervise one part-time employee.

JOB ENVIRONMENT

A high volume, fast paced office setting with multiple interruptions; most activity is high priority and deadline oriented. Accuracy is of the utmost importance. Errors could result in delay and confusion having significant legal and financial repercussions. Operation of computers and office equipment is essential. Phone skills, verbal and written communication and listening skills are required.

ESSENTIAL FUNCTIONS

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

Manage and perform a wide variety of duties and functions for the Town Administrator, which include personnel issues and benefits administration.

Prepares and processes the payroll and all related reports and printing checks; prepares warrant folder; process, balance, report and distribute W-2 s. Keep abreast of state and federal

employment laws and required postings; research issues related to FLSA. Works varied schedules to meet the demands of the payroll.

Maintain employee records and implements payroll deductions for garnishments, tax levies and child support enforcement orders.

Respond to human resource related issues and resolve problems. Handles all administrative matters associated with health, life, dental, short/long term disability; oversee county retirement changes and ensuring that all payroll deductions are made.

Ensure that all FMLA, COBRA and HIPAA regulations are maintained; familiar with Chapter 32B; coordinate insurance adjustment to ensure proper collection and payment of premiums; assist active and retired employees with health insurance and Medicare questions; interface with insurance companies to resolve issues and annual renewals; attend Minuteman Health Insurance Group, Insurance Advisory Committee, and Personnel Board meetings.

Gathers, interprets, and prepares data for studies, salary/ health insurance surveys; coordinates activities such as deferred compensation provider meetings, annual open enrollment, and benefit fairs.

Participate in collective bargaining negotiations. Coordinate employee leaves of absences. Provide assistance to department heads and other boards with procedures followed when filling vacancies, including newspaper ads, job postings, interviewing, and new hire/termination paperwork.

Provides assistance to new employees in selecting benefits through the town's cafeteria plan; prepares and packages benefits information for employees; answers questions, provides assistance in preparing forms, and refers employees to various sources as needed.

Conduct exit interviews for terminating employees, including options for health insurance, payment of accruals, and contributions to deferred compensation plans.

Researching and responding to unemployment claims and workers compensation in a timely manner.

Using excellent communication skills establishes and maintains effective working relationships with employees, town officials, and retirees.

Coordinate seminars and training for active and retired employees.

This position will also be back up in the absence of the Treasurer. This will include making bank deposits, taking in monies from various departments, checking the mail, moving money to cover payroll or accounts payable, making entries in cash book. Must be bondable.

RECOMMENDED MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE:

Associate's Degree in business, finance or related field and four years of experience in accounting, bookkeeping or related field; or any equivalent combination of education and experience. Municipal experience is desirable.

KNOWLEDGE, ABILITY, AND SKILL:

KNOWLEDGE: Working knowledge of principles and practices of financial management and bookkeeping. Familiarity with statutes and regulations to municipal finance.

ABILITY: Ability to deal effectively and cooperatively with town departments. Ability to manage payroll and benefits.

SKILL: Skill in finance and bookkeeping. Skill with computers and related software applications.

PHYSICAL REQUIREMENTS:

Minimal physical effort generally required to perform work under normal office conditions. Position requires the ability to operate a keyboard. Good close vision to work with numbers and details.

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

DRAFT

PAYROLL AND BENEFITS MANAGER

Position Purpose:

The purpose of this position is to handle payroll, benefits, and human resources administration. Assists the Town Administrator with personnel and collective bargaining issues related to payroll and benefits; performs all other related work as required.

Supervision:

Supervision Scope: This position performs highly technical and administrative tasks that require the utmost level of confidentiality. This requires a considerable need for initiative, self-direction, the exercise of good judgment and discretion.

Supervision Received: Works under the general direction of the Town Administrator and in accordance with applicable Massachusetts General Laws, town policies, town bylaws, and relevant state, federal, and local regulations and standards. Establishes own work plan and completes work in accordance with established departmental policies and standards; only unusual cases are referred to supervisor.

Supervision Given: May supervise one part-time employee.

Job Environment:

Work is performed under typical busy municipal office conditions; work environment is moderately noisy.

Operates computer, calculator, copier, facsimile machine, and other standard office equipment.

Makes regular contacts with other town departments and employees, retirement representatives, insurance and annuity companies and the general public. Contacts are by phone, through correspondence, and in person; they generally consist of an information exchange dialogue, discussing complex and confidential issues.

Has access to department-oriented confidential information including personnel records, which requires the application of appropriate judgment, discretion and professional office protocols.

Errors could result in delay of department services, and have financial repercussions.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not

DRAFT

exclude them from the position if the work is similar, related or a logical assignment to the position.)

Manages and performs a wide variety of duties and functions for the Town Administrator, which includes personnel issues and benefits administration.

Prepares and processes the payroll and all related reports and printing checks; prepares warrant folder; process, balance, report and distribute W-2s. Keeps abreast of state and federal employment laws and required postings; research issues related to FLSA. Works varied schedules to meet the demands of the payroll.

Maintains employee records and implements payroll deductions for garnishments, tax levies and child support enforcement orders.

Responds to human resource related issues and resolves problems. Handles all administrative matters associated with health, life, dental, short/long term disability; oversee county retirement changes and ensuring that all payroll deductions are made.

Ensures that all FMLA, COBRA, and HIPAA regulations are maintained; familiar with Chapter 32B; coordinate insurance adjustment to ensure proper collection and payment of premiums; assist active and retired employees with health insurance and Medicare questions; interface with insurance companies to resolve issues and annual renewals; attend Minuteman health Insurance Group, Insurance Advisory Committee, and Personnel Board meetings.

Gathers, interprets, and prepares data for studies, salary/health insurance surveys; coordinates activities such as deferred compensation provider meetings, annual open enrollment, and benefit fairs.

Participates in collective bargaining negotiations. Coordinates employee levels of absences. Provides assistance to department heads and other boards with procedures followed when filling vacancies, including newspaper ads, job postings, interviewing, and new hire/termination paperwork.

Provides assistance to new employees in selecting benefits through the Town's cafeteria plan; prepares and packages benefits information for employees; answers questions, provides assistance in preparing forms, and refers employees to various sources as needed.

Conduct exit interviews for terminating employees, including options for health insurance, payment of accruals, and contributions to deferred compensation plans.

Researches and responds to unemployment claims and works compensation in a timely manner.

DRAFT

Using excellent communication skills establishes and maintains effective working relationships with employees, town officials, and retirees.

This position will also be back up in the absence of the Treasurer. This will including making bank deposits, taking in monies form various departments, checking the mail, moving money to cover payroll or accounts payable, making entries in cash book.

Coordinates seminars and training for active and retired employees.

Performs similar or related work as required, directed or as situation dictates.

Recommended Minimum Qualifications:

Education, Training and Experience:

Associates degree in Business or Finance, or related field; four years of responsible experience in municipal finance, accounting or similar financial management; experience in general financial management and payroll processing; or any equivalent combination of education and experience.

Special Requirements:

Ability to be bonded.

Certification as Assistant MA Municipal Treasurer (as defined by the MA Collectors & Treasurers Association) desirable

Knowledge, Ability and Skill:

Knowledge: Knowledge of municipal financial practices, payroll processing and cash management; Knowledge of banking practices; Knowledge of MA General Laws; Knowledge and understanding of employee benefits administration; Thorough knowledge of computer applications for accounting and financial management.

Ability: Ability to establish and maintain effective and harmonious working relationships with town officials and departments, members of the banking community, benefits providers, and all town employees. Ability to communicate effectively in written and oral form. Ability to establish and maintain complex financial record keeping systems. Ability to prioritize multiple tasks and deal effectively with interruptions, often under considerable time pressure. Ability to prepare complex financial reports. Ability to operate standard office equipment. Ability to analyze and interpret payroll and financial data.

Skill: Skill in computers and appropriate software applications. Aptitude for numbers and details. Excellent organizational skills. General office management skills. Skill in all of the above listed tools and equipment.

DRAFT

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to work at a desk; regularly convey information to employees and the public; regularly move about inside the office to access file cabinets and office machinery; and traverse stairs. The employee must occasionally lift and/or move objects weighing up to 15 pounds, such as supplies, folders, and books. Ability to operate a keyboard and calculator at efficient speed and to view computer screens for extended periods of time. Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

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

**TOWN OF AYER PROPOSED
NON-UNION CLASSIFICATION PLAN**

POSITIONS
Grade 7
NONE
Grade 8
Secretary to Fire Chief Secretary to Police Chief Payroll and Benefits Manager Assistant Town Treasurer DPW Office Manager
Grade 9
Board of Selectmen Secretary
Grade 10
Parks and Recreation Director
Grade 11
Assistant DPW Engineer Facilities Maintenance Director Town Clerk/Collector Town Treasurer
Grade 12
Economic and Community Development Director
Grade 13
Assessing Administrator Police Lieutenant Information Technology Director
Grade 14
DPW Superintendent Town Accountant/Finance Manager
Grade 15
Fire Chief
Grade 16
Chief of Police
Grade 17
Town Administrator

\$18.05 Starting Hourly Wage
52.20 Work Weeks Per Year
40 Hours Per Week
2.5 Percent between Steps

		Proposed Compensation Plan - Town of AYER, MA										
% Between Grades	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
	7	\$18.05	\$18.50	\$18.96	\$19.43	\$19.92	\$20.42	\$20.93	\$21.45	\$21.99	\$22.54	\$23.10
		\$722.00	\$740.00	\$758.40	\$777.20	\$796.80	\$816.80	\$837.20	\$858.00	\$879.60	\$901.60	\$924.00
		\$37,688.40	\$38,628.00	\$39,588.48	\$40,568.84	\$41,592.96	\$42,636.96	\$43,701.84	\$44,787.60	\$45,915.12	\$47,063.52	\$48,232.80
10	8	\$19.86	\$20.36	\$20.87	\$21.39	\$21.92	\$22.47	\$23.03	\$23.61	\$24.20	\$24.81	\$25.43
		\$794.40	\$814.40	\$834.80	\$855.60	\$876.80	\$898.80	\$921.20	\$944.40	\$968.00	\$992.40	\$1,017.20
		\$41,467.68	\$42,511.68	\$43,576.56	\$44,662.32	\$45,768.96	\$46,917.36	\$48,086.64	\$49,297.68	\$50,529.60	\$51,803.28	\$53,097.84
10	9	\$21.85	\$22.40	\$22.96	\$23.53	\$24.12	\$24.72	\$25.34	\$25.97	\$26.62	\$27.29	\$27.97
		\$874.00	\$896.00	\$918.40	\$941.20	\$964.80	\$988.80	\$1,013.60	\$1,038.80	\$1,064.80	\$1,091.60	\$1,118.80
		\$45,622.80	\$46,771.20	\$47,940.48	\$49,130.64	\$50,362.56	\$51,615.36	\$52,909.92	\$54,225.36	\$55,582.56	\$56,981.52	\$58,401.36
10	10	\$24.04	\$24.64	\$25.26	\$25.89	\$26.54	\$27.20	\$27.88	\$28.58	\$29.29	\$30.02	\$30.77
		\$961.60	\$985.60	\$1,010.40	\$1,035.60	\$1,061.60	\$1,088.00	\$1,115.20	\$1,143.20	\$1,171.60	\$1,200.80	\$1,230.80
		\$50,195.52	\$51,448.32	\$52,742.88	\$54,056.32	\$55,415.52	\$56,793.80	\$58,213.44	\$59,675.04	\$61,157.52	\$62,681.76	\$64,247.76
10	11	\$26.44	\$27.10	\$27.78	\$28.47	\$29.18	\$29.91	\$30.66	\$31.43	\$32.22	\$33.03	\$33.86
		\$1,057.60	\$1,084.00	\$1,111.20	\$1,138.80	\$1,167.20	\$1,196.40	\$1,226.40	\$1,257.20	\$1,288.80	\$1,321.20	\$1,354.40
		\$55,206.72	\$56,584.80	\$58,004.64	\$59,445.36	\$60,927.84	\$62,452.08	\$64,018.08	\$65,625.84	\$67,275.36	\$68,966.64	\$70,689.68
10	12	\$29.08	\$29.81	\$30.56	\$31.32	\$32.10	\$32.90	\$33.72	\$34.56	\$35.42	\$36.31	\$37.22
		\$1,163.20	\$1,192.40	\$1,222.40	\$1,252.80	\$1,284.00	\$1,316.00	\$1,348.80	\$1,382.40	\$1,416.80	\$1,452.40	\$1,488.80
		\$60,719.04	\$62,243.28	\$63,809.28	\$65,396.16	\$67,024.80	\$68,695.20	\$70,407.36	\$72,161.28	\$73,956.96	\$75,815.28	\$77,715.36
10	13	\$31.99	\$32.79	\$33.61	\$34.45	\$35.31	\$36.19	\$37.09	\$38.02	\$38.97	\$39.94	\$40.94
		\$1,279.60	\$1,311.60	\$1,344.40	\$1,378.00	\$1,412.40	\$1,447.60	\$1,483.60	\$1,520.80	\$1,558.80	\$1,597.60	\$1,637.60
		\$66,795.12	\$68,465.52	\$70,177.68	\$71,931.60	\$73,727.28	\$75,564.72	\$77,443.92	\$79,385.76	\$81,369.36	\$83,394.72	\$85,482.72
10	14	\$35.19	\$36.07	\$36.97	\$37.89	\$38.84	\$39.81	\$40.81	\$41.83	\$42.88	\$43.95	\$45.05
		\$1,407.60	\$1,442.80	\$1,478.80	\$1,515.60	\$1,553.60	\$1,592.40	\$1,632.40	\$1,673.20	\$1,715.20	\$1,758.00	\$1,802.00
		\$73,476.72	\$75,314.16	\$77,193.36	\$79,114.32	\$81,097.92	\$83,123.28	\$85,211.28	\$87,341.04	\$89,533.44	\$91,767.60	\$94,064.40
10	15	\$38.71	\$39.68	\$40.67	\$41.69	\$42.73	\$43.80	\$44.90	\$46.02	\$47.17	\$48.35	\$49.56
		\$1,548.40	\$1,587.20	\$1,626.80	\$1,667.60	\$1,709.20	\$1,752.00	\$1,796.00	\$1,840.80	\$1,886.80	\$1,934.00	\$1,982.40
		\$80,826.48	\$82,851.84	\$84,918.96	\$87,048.72	\$89,220.24	\$91,454.40	\$93,751.20	\$96,089.76	\$98,490.96	\$100,954.80	\$103,481.28
10	16	\$42.58	\$43.64	\$44.73	\$45.85	\$47.00	\$48.18	\$49.38	\$50.61	\$51.88	\$53.18	\$54.51
		\$1,703.20	\$1,745.60	\$1,789.20	\$1,834.00	\$1,880.00	\$1,927.20	\$1,975.20	\$2,024.40	\$2,075.20	\$2,127.20	\$2,180.40
		\$86,907.04	\$89,120.32	\$91,396.24	\$93,734.80	\$96,136.00	\$98,609.84	\$103,105.44	\$105,673.68	\$108,325.44	\$111,039.84	\$113,816.88
10	17	\$46.84	\$48.01	\$49.21	\$50.44	\$51.70	\$52.99	\$54.31	\$55.67	\$57.06	\$58.49	\$59.95
		\$1,873.60	\$1,920.40	\$1,968.40	\$2,017.60	\$2,068.00	\$2,119.60	\$2,172.40	\$2,226.80	\$2,282.40	\$2,339.60	\$2,398.00
		\$91,801.92	\$100,244.88	\$102,750.48	\$105,318.72	\$107,949.60	\$110,643.12	\$113,399.28	\$116,238.96	\$119,141.28	\$122,127.12	\$125,175.60

******PROPOSED DRAFT POLICY******
[REVISED: Nov. 8, 2013 by R. Pontbriand]
[ALL Executive Sessions EXEMPT from Remote Participation]

DATE: September 26, 2013

TO: All Town of Ayer Boards, Commissions, Committees, and Employees

FROM: Robert A. Pontbriand, Town Administrator

SUBJECT: Town of Ayer Remote Participation Policy for all Public Meetings
(Proposed Draft)

The Attorney General's Office has issued regulations providing direction to municipalities with regard to remote participation at public meetings regulated by the Open Meeting Law 940 CMR 29.10 (see attached).

On (insert date), the Ayer Board of Selectmen voted as follows in accordance with 940 CMR 29.10:

To allow remote participation in accordance with the requirements of 940 CMR 29.10, with the authorization applying to all public meetings of all Town of Ayer Public Bodies in the Town of Ayer.

In addition, the Board voted on (insert date), to approve the type of technology to be used in remote participation, as follows.

To allow remote participation by means of telephone, the Internet, satellite enabled audio and/or video conferencing, and/or any other technology which enable the remote participant and all persons at the meeting location to be clearly audible to one another.

Note that the Ayer Board of Selectmen may also revoke its approval of remote participation in the same manner as it has approved it. **The Ayer Board of Selectmen will monitor remote participation at meetings, and so instructs each public body that uses remote participation to inform the Town Administrator of each such remote participation, providing the details of the remote participation, and its assessment of such use.** Please contact the Town Administrator if you have any questions about remote participation at meetings.

[PROPOSED DRAFT POLICY]

Each public body using remote participation must be aware of the requirements of remote participation, as detailed below. **Every effort should be made by the public body to avoid the use of remote participation at meetings when possible.**

Members of a public body may participate remotely only if physical attendance is “unreasonably difficult”, as determined by the Chair or the person acting as Chair (in the Chair’s absence) of the meeting. Attendance that is “unreasonably difficult” is limited to the following:

1. Personal illness;
2. Personal disability;
3. Emergency;
4. Military service; or,
5. Geographic distance

During a meeting at which a member(s) is remotely participating, the member who is participating and all others present at the meeting **must be clearly audible to each other; a quorum of the public body must be physically present; and the Chair, or person acting as Chair, must be physically present.**

If the technology that is being used to allow the member(s) to remotely participate fails during the meeting, the Chair is encouraged to suspend the meeting while the failure is being fixed. **If the failure cannot be fixed, the failure and the departure of the remotely participating member(s) must be noted in the meeting minutes.**

The mandatory procedures for remote participation are as follows:

1. Any member(s) of a public body who wishes to remotely participate must notify the Chair as soon as reasonably possible, and include in the notification the reason for, and facts supporting the request.
2. When feasible, the Chair must distribute to the remote participant(s) in advance of the meeting all materials to be used in the meeting.
3. **At the start of the meeting the Chair must announce the names of the members who are remotely participating, and the reasons for their remote participation. This information must be recorded in the minutes of the meeting.**
4. All votes taken while any member(s) is remotely participating must be by roll call vote and recorded as such in the meeting minutes.

[PROPOSED DRAFT POLICY]

5. **Town of Ayer Public Bodies CANNOT use remote participation for Executive Sessions under any and all circumstances.**
6. Any cost for and/or associated with the remote participation shall be borne by the remote participant(s).
7. Failure to adhere to all of these mandatory procedures is a violation of 940 CMR 29.10 and the Town of Ayer's Policy on Remote Participation at Meetings.

Violations:

- Violations of 940 CMR 29.10 and/or the Town's Policy will result in the remote participation meeting being deemed illegal and all actions and/or votes to be illegal (null and void).
- Furthermore any violations of 940 CMR 29.10 are subject to investigation and enforcement by the Attorney General which **may include fines and penalties to the individual(s) involved; the public body involved and/or the Town of Ayer.** Such violations may also result in an order of revocation from the Attorney General's Office for the remote participation at meetings in the Town of Ayer.

Revocation of Policy:

- The Ayer Board of Selectmen reserves the right at any time to revoke the adoption of Remote Participation at Public Meetings Policy by a simple majority vote of the Ayer Board of Selectmen in a posted, Open Meeting.

Again, if you have any questions or concerns, please contact the Town Administrator.

Attachment: 940 CMR 29.10

Cc: Attorney General of the Commonwealth of Massachusetts
Town Counsel

NEW BUSINESS / SELECTMEN'S QUESTIONS (9:15PM)

1. BOS Policies and Procedures Update – Selectman Livingston
2. Paper Reduction Policy – Selectman Livingston
3. Cleaning of Town Hall – Selectman Hillman
4. Employee Break Room – Selectman Livingston

REORGANIZATION OF THE BOARD OF SELECTMEN (9:30PM)

APPROVAL OF MEETING MINUTES (9:35PM)

April 1, 2014

April 15, 2014

ADJOURNMENT (9:45PM)

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, April, 1, 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, Jannice Livingston, Christopher Hillman absent. Janet Lewis, Secretary. Mr. Pontbriand absent on bereavement leave.

Chairman Luca announced the Central Fire Station RFP Proposals taken off tonight's agenda to be rescheduled at later date.

Chairman Luca requested if there were any amendments to tonight's Agenda. None.

Chairman Luca called for a motion to accept the Agenda. Ms. Livingston moved the Board vote to approve the Agenda as presented, 2nd by Ms. Conley, VOTE: unanimous, so moved.

Announcements: Chairman Luca made the following announcements:

4-11-14 @5:00p.m. ATM Warrant closes.

4-15-14 @7:00p.m. Water/Sewer Public Hearing at the Ayer Town Hall

4-22-14 @7:00p.m. Fy-15 Budget & ATM Warrant Public Hearing at the Ayer Town Hall

4-10-14 from 1:00p.m.-3:00p.m. Ayer Town Hall Health Benefit Fair-2nd floor Great Hall

4-28-14 7:00a.m. to 8:00p.m. Annual Town Election at the Ayer Town Hall, 2nd Floor Great Hall

5-12-14 7:00p.m. Annual Town Meeting at the Ayer Town Hall-2nd Floor Great Hall

Public Input-Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input-none.

Willow Road Development- The Board met with Mark O'Hagan

Chairman Luca requested if Mr. O'Hagan received and reviewed the amended Agreement submitted by Town Counsel. Mr. O'Hagan stating yes and having no issues with amended Agreement. Chairman Luca requested clarification to the remaining number of unsold market rate condominium units and advised by Mr. O'Hagan to there being 21. Mr. O'Hagan stating with the execution of tonight's Agreement he will forward the sum of \$48K to the Selectmen's Office this week towards the Water Tower, reducing the amount outstanding by Willow Road Dev. to \$202K. Mr. O'Hagan further stated with the sale of each market rate condominium \$12K will be paid to the Town of Ayer until the remaining balance has been paid in full on the remaining balance on the Water Tower. The Board requested a copy of each closing be submitted to the Town Administrator along with closing schedule/s. Ms. Conley advising to the minutes of 2-14-14 reflecting final payment date to Town being by the end of the year in 2015. Mr. O'Hagan concurring. Mr. O'Hagan requesting Mr. Vellante be advised to Agreement in place and all in order. Signed Agreement to be delivered to Town Hall.

Pension Reserves Investment Trust- The Board met with Financial Manager Lisa Gabree, Stephanie Gintner, Town Treasurer, Paul Todisco from Pension Reserves Investment Trust. Joining them later in the evening John Kilcommins, Marianne Zawacki and Scott Houde from the Fin-Com. Mr. Todisco presented copies of his presentation to the Board and conducted a brief introduction re his position serving as Senior Client Services officer for the MA Pension Reserves Investment Management (PRIM) Board who congratulated and commended the Town for investing initiative and gave a quick overview of the state OPEB funds advising to Middlesex Retirement Fund managed by PRIMB. Mr. Todisco reviewed the following with the Board:

- background
- Management & Investment in SRBTF
- composition
- legislation
- reporting requirements

- web page
 - Government entities participating in the SRBTF
 - outreach
 - benefits investing
 - rates of return
 - PRIM Board & PRIT Fund
 - fiduciary oversight
 - PRIM board Composition
 - PRIM Fund NAV (\$Billions)
 - Total Fund Returns
 - How Fees are allocated to SRBTF participants
- PRIM Advisory Com.
PRIT Core Fund asset Allocation Targets
PRIT Ratio of Expenses

Ms. Gabree advising the Board she will be submitting draft article language to the Town Administrator and Bi-Board for Town Meeting. The Board thanked Mr. Todisco for coming in to meet with them.

Water Abatement Request-

The Board approved a Request for a Water & Sewer Abatement for Richard Gerace at 1 Jonathan Drive., Ayer, MA per the recommendation by Supt. Wetzel in the amount of \$373.70 due to excess water did not go into the sewer. This abatement represents the sewer portion of the bill or (4,970CF). Motion to approve made by Ms. Livingston, 2nd by Ms. Conley, VOTE: unanimous, so moved.

Shaker Hills Country Club-Change of Hours Request (Continued from 3-25-14)-The Board met with JoAnn Upton, General Manager of Shaker Hills. The Board updated Ms. Upton to Town's By-law establishing "Brunch Hour/s" pursuant to MGL 138 S33B starting at 11:00a.m. in May 2005 and Board's support to amend the By-law on the May 2014 Town Meeting Warrant to conform with State's Statute beginning at 10:00a.m. to 12:00 with that Ms. Conley moved to amend Shaker Hill's Country Club's All Alcohol License to 11:00a.m. on Sundays and Holidays beginning at 11:00a.m. effective upon ABCC approval, 2nd Ms. Livingston, VOTE: unanimous, so moved.

Central Fire Station RFP Proposals- rescheduled for 4-15-14 Selectmen's Meeting. Selectmen to remit evaluations to Town Administrator prior to 15th.

JBoS Update- Chairman Luca advised to next JBoS meeting on 4-24-14. and updated the Board to

- MDFA Financial statements/Treasurer's Report:
- Overlay District-Towns to govern in place of MASDEV
- Home Rule Petition presented by Frank Maxant, re warrant article-no consensus

Selectmen's Questions/New Business

Business Certificates update-Board requesting to put placeholder on warrant re increasing fees to \$30.00. Ms. Livingston stating her frustration being unable to find in Town's By-law where it states Town has to place increasing the fee from \$20.00 to \$30.00 before Town Meeting. Ms. Livingston to contact Town Clerk re clarification.

Mary Spinner questioned Willows Dev. Agreement questioning how the Selectmen will fund the new water tower only receiving \$48K from Willows will the Board fund from Water enterprise and then reimburse when the funds come in. The Board took this under advisement.

Town Hall Windows- Ms. Conley updating the Board to Town Administrator going before the CPC re funding the windows a year ago and CPC not funding/not qualifying. The Town Administrator went back before CPC again with new application requesting the Board keep on top of -this needs to get done-cost savings. Ms. Spinner advising to speaking with Dan Sherman who got the quote and advised to \$159K price will not hold until next year.

8:45p.m. Ms Livingston moved to adjourn, 2nd by Ms Conley VOTE: unanimous, so moved.

-----Date:-----

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, April, 15, 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, Jannice L. Livingston, Clerk and Pauline Conley, Member, Robert Pontbriand-Town Administrator and Janet Lewis, Secretary.

Chairman Luca opened the meeting by requesting a "Moment of Silence" be observed for the upcoming anniversary of the Boston Marathon Bombing by showing our support/solidarity for the innocent lives lost and victims of last year's bombing.

Chairman Luca welcomed Senator Jamie Eldridge and Representative Jennifer Benson to the meeting. Mr. Pontbriand requested to amend the DPW-Supt.'s Report by adding a number 4. Vote to lay out Mt. Laurel Lane and refer to Planning Board for inclusion on the May 2014 Annual Town Meeting Warrant and a number 5. Winter Rapid Recovery Road Program Reimbursement from MassDOT in the amount of \$36,693.00.

Mr. Pontbriand advising to the Central Fire Station RFP Proposals scheduled for May 6, 2014. Ms. Conley questioning status of evaluations by Board members. Mr. Pontbriand requested to defer discussion re this issue to be taken up under his report later this evening. Mr. Pontbriand amended the Agenda re correct dates of Selectmen's Minutes to read March 25, and April 1, 2014.

Public Input-Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input-none.

Chairman Luca called for a motion to accept the Agenda. Motion to approve the agenda as amended made by Selectman Conley 2nd by Selectman Hillman VOTE: unanimous, so moved.

Announcements: Chairman Luca made the following announcements:

4-22-14 @7:00p.m. Fy-15 Budget & ATM Warrant Public Hearing at the Ayer Town Hall

4-28-14 7:00a.m. to 8:00p.m. Annual Town Election at the Ayer Town Hall, 2nd Floor Great Hall

5-12-14 7:00p.m. Annual Town Meeting at the Ayer Town Hall-2nd Floor Great Hall

Chairman Luca took this opportunity to announce the retirement Selectmen's Secretary Janet Lewis by reading a Proclamation into the record proclaiming April 15, 2014, as Janet S. Lewis Day in the Town of Ayer. Senator Eldridge presented a Governor's Citation to Ms. Lewis in recognition of her 35 years of service signed by Governor Deval Patrick as well as presenting Ms. Lewis a MA. State Senate Citation. Representative Jennifer Benson also presented Ms. Lewis with a citation from the MA House of Representatives. Ms. Lewis thanked all for their kindness.

State Senator James Eldridge and State Representative Jennifer Benson, Fy-2015 Budget Message.

(Joined later in Meeting By State Representative Sheila Harrington)

Senator Eldridge opened the discussion by updating the Board to his priorities for 2015 being: Local Aid, water infrastructure, funding for regional school transportation (circuit breaker) making it easier for municipalities to regionalized services promoting municipal collaboration stating this has passed House and is now in the Senate. Representative Benson adding that there has been a significant shift of recent re: regionalization and it has not been catching fire as originally anticipated. Senator Eldridge also informed the Board to \$13 billion Transportation Bond that passed this week which includes Chapter 90 money for Town road work. Representative Benson questioned the Board re questions or assistance the Board has re budget priorities. Chairman Luca citing Water & Sewer infrastructure the town is investigating re replacement of old water/sewer lines and looking for any assistance available. Ms. Conley advising to Town receiving a \$3K cut in Veterans Benefits in the Governor's proposal requesting an inquiry be made and advised to being formula driven based upon #'s. Representative Harrington stating she will report back in three weeks on Governor's budget cut i.e. elderly, library & veterans.

Public Hearing Fy-2015 Water/Sewer Rates- Mr. Pontbriand thanked the Rate Committee comprised of Ms. Gabree, Mark Wetzel, Mary Spinner, Rick Skocylas, Jim Fay, Scott Houde and himself for all their diligence working and evaluating rates to recover costs and significant fluctuations to avoid spikes in rates and reduce the reliance on surplus. Mr. Pontbriand turned the meeting over to Ms. Livingston, Clerk of the Board of Selectmen. Ms. Livingston read into the record the Public Notice opening the Fy-2015 Water & Sewer Public Hearing. The Board met with Lisa Gabree, Finance Director and Mark Wetzel-Supt. DPW- Ms. Gabree conducted an overhead presentation of the proposed criteria relevant to setting the Fy-2015 water & sewer rate/s. Ms. Gabree also presented and reviewed Fy-14 accomplishment-establishing a capital stabilization goal of \$500K for each of the funds to provide for future capital needs/emergencies. Ms. Gabree expenses reviewed with the Board Fy-13 to Fy-15, revenues, enterprise funds, projects, impact on residents, rate comparison of neighboring communities, and Rate Committee's recommendations. Supt, Wetzel reviewed and discussed with the Board working with MADEV re potential of selling future capacity (sludge) back to MADEV as well as evaluating septage re limits on capacity and fee charge. Supt. Wetzel advising to New Billing software in place with capability of reading the whole Town in a half a day and ability to flag low/high use, stating new meters much more efficient. Ms. Conley questioning time frame when the DPW will be able to initiate the quarterly billing for residents Mr. Wetzel responding that the Town is half way there, currently reading semi-annually, estimating by 2nd quarter. Ms. Conley moved to approve the Water & Sewer Rate Committee's recommendation **not to increase the Water Rate** for Fy-2015, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Ms. Conley moved to approve the recommendation of the Water & Sewer Rate Committee for the **Fy-2015 Sewer Rate** per 6000 cubic feet so stated below, 2nd by Mr. Hillman, VOTE: unanimous, so moved. New 2015 Sewer Rates:

- Step 1. \$6.71
- Step 2. \$7.68
- Step 3. \$8.75

Ms. Gabree advising to rate reflecting .2% less than projected for Fy-2014

8:20p.m. Ms. Conley moved to close the Fy-2015 Water/Sewer Public Hearing 2nd, by Mr. Hillman VOTE: unanimous, so moved.

Common Victualler's License-Ho Hing Restaurant d/b/a Empire City-210 West Main Street, Ayer, MA

Chairman Luca opened the Public Hearing by requesting the Clerk read the Legal Notice into the record. The Board met with Ai Rang Hong, Ms. Conley clarifying that he is the new owner of 210 West Main Street Restaurant and not same company previously before the Board. Mr. Luca advising to Nashoba Boards of Health approving the Food Handler's License on 3-27-14 per MGL Chapter 94, Section 305A and Chapter 111, Section 5. Hours of operation 7:00am-10:00p.m. Monday through Thursday, Friday & Saturday 11:00a.m. to 11:00p.m., Sunday 12:00 to 10:00p.m. Selectman Conley moved the Board vote to approve the Common Victualler's License for Ho Hing Restaurant d/b/a Empire City, 2nd by Ms. Livingston, VOTE: unanimous, so moved.

Chief Murray-Parking Regulations Amendment/-Newton St. and Pleasant Street-Chief Murray reviewed his memo of 3-28-14 with the Board requesting the Board's endorsement to reverse the direction of the Parking Regulations of 2005 on Newton & Pleasant Streets from parking on the Northerly side to Southerly side on Newton Street and Westerly side to Easterly side on Pleasant Street to be in line with current practices. Chief Murray also requesting all the amendments made to the Parking Regulations of 1939 be incorporated reflecting all the changes to the document be properly recorded and placed under the charge of the Town Clerk and distributed to Police Dept. and Parking Clerk. Mr. Hillman moved to approve the Chief's recommendation as so stated above 2nd by Ms. Conley, VOTE: unanimous, so moved.

Laurie Sabol-Recycling Committee re Town-wide Clean-up Day/s- Ms Sabol announced the Recycling Committee's Town-wide Clean up Day/s scheduled for Saturday & Sunday May 3rd and 4th 2014 in

conjunction with Earth Day from 9:00a.m. to 1:00p.m. Ms Sabol encouraged the Board's participation in this event to support the Committee's initiative. Ms. Conley inquiring on status of Adopt-A-Road Program and Ms. Sabol advising to program a time driven project to which the Committee has not had time to pursue. Ms. Conley urging Committee to not lose sight of. Rick Skocylas advising to Masonic Association offering to assist with trash pick-up during the clean-up event requesting bags to be left along side of the road.

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

1. Devens WWTP -current flow projections and recommendations- Mr. Wetzel reviewed with the Board his Memo of 4-15-14 advising to Town entering into an Agreement with Devens in 2001 for twenty (20) years (2021) which allows Ayer to transfer up to 0.80 mgd of wastewater to Devens WWTP at \$250/275K/yr. Mr. Wetzel advising to the Agreement a result of an Administrative Consent Order with MA DEP due to Town flows exceeding 80%. The Agreement required the town to pay an Annual Capital Charge and an O&M cost related to Ayer flow transferred to Devens. Mr. Wetzel reviewed the current flows and projected flow through 2023 with the Board including potential new developments/connections i.e. Littleton Lyne, SIU's, Town of Groton and based upon analyses the Town can reduce the Devens reserve capacity from 0.80 mgd to 0.45mgd and current flow conditions at the WWTP indicate no need to transfer 0.10 mgd (base flow to Devens). Supt. Wetzel encouraging contacting MASDEV to renegotiate the agreement for the two items: Base Flow & O&M and reserve capacity reducing this down to 0.45 and related changes to the BOS and TSS limits. Mr. Pontbriand recommending the Board authorizes a letter to new Director Ms. Jones new Director at MADEV re formal intent to renegotiate. Ms Conley recommending the Agreement be reviewed questioning if it has no renegotiating clause. Mr. Wetzel also suggesting Town request Devens to take Town's higher strength to eliminate hauling charge.

2. Town Engineer Position-Mr. Wetzel updated the Board to Fin-Com copied re estimated cost savings. (i.e. reducing profession technical services to reflect reducing use of consulting engineers, Waste-water reduced \$10K, and the stormwater budget by \$15K) and if this position is not funded at Town Meeting adjustments would include Wastewater \$5K and Stormwater \$6K capital request. (see 3-11-14 Memo)

3. Wastewater Discharge Permit- scheduled with HTA re compliance schedule.

4. Mountain Laurel Way-Supt. Wetzel advised to requesting Planning Board's approval of street acceptance of Mt. Laurel Way over a month ago and advised to process being Selectmen have to vote to approve Laying out of Road and then refer to Planning Board for approval. Ms. Conley advising to plan not included suggesting Board take this up at their meeting on 4-22-14 due to map having to be on file with Town Clerk and available for viewing by the public Monday -Friday from 9-5. Ms. Conley suggesting leaving a place-holder on 5-12-14 warrant for this street acceptance.

5. Winter Rapid Recovery Road Program Reimbursement-MA DOT- The Board voted to approve and submit the Winter Rapid Recovery Road Program Reimbursement in the amount of \$36,693.00 to MA DOT. Motion made by Ms. Conley 2nd by Mr. Hillman VOTE: unanimous, so moved. Mr. Wentzel advising to this funding to be utilized for Central Ave. and Sandy Pond Rd. Mr. Pontbriand reported on pot hole list. Ms. Conley reported sink hole on Cambridge St.

Town Administrator's Report-

1. Reserve Fund Transfer- The Board approved a RFT in the amount of \$2,075.18 for account #-16658000-Computer Hardware. The Board met with Cindy Knox, IT Director who updated the Board re actual cost difference in Ricoh Copier expense and toner which was underfunded. Actual cost of copier \$8,985.18 and toner \$1,512.00. (remaining balance in budget \$137.56 shortage). Motion to approve made by Ms. Conley 2nd by Mr. Hillman VOTE: unanimous, so moved.

2. Mr. Pontbriand took this opportunity to publicly thank the Board of Selectmen and Town Hall staff for all their support during the recent tragic passing of his brother. Thank you's went out to everyone for the flowers, cards and all who attended the calling hours from the Town.

Fire Station-RFP Mr. Pontbriand advised to the Board of Selectmen being the awarding entity and as such each member must review the proposals and evaluate. Mr. Pontbriand requested if the Board wished to meet with the proponents. Board would meet to open bids, record price, rating & fees, sale price negotiable. The Board requested to schedule meeting to meet with the proponents re reviewing their proposals, to deliberate & select best proposal/price to further negotiate price and terms to make a decision. Mr. Pontbriand to schedule meeting for the Board's first meeting in May. (5-6-14).

2. Appointment of BOS/TA Secretary-Mr. Pontbriand advised to bringing forward a candidate to the Board for their 4-22-14 meeting.

3. Asst. Treasurer's Position-Mr. Pontbriand took this opportunity to update the Board to the resignation of Asst. Town Treasurer Melisa Doig effective 4-18-14. Mr. Pontbriand stating this resignation gives the opportunity for the Board, Fin-Com, and Treasurer to evaluate the future of that office and needs of the Town i.e. out sourcing payroll, hire a Payroll/Benefits Manager as the position was approved by the Personnel Board, hire part-time Asst. Treasurer or full-time? Mr. Pontbriand suggesting to meet after the Town Elections to discuss what is in the best interest of the Town. In the interim the Treasurer will do payroll and Mr. Pontbriand will do benefits. The Board moved to appoint Lisa Gabree as the Town's second Privacy Officer on interim basis per Town Counsel's recommendation. Motion to approve Ms. Gabree's appointment as the Town's 2nd Privacy Officer made by Ms. Conley, 2nd by Mr. Hillman VOTE: unanimous, so moved.

4. Building Dept. Staffing-Mr. Pontbriand updated the Board to 2013 ATM Meeting funding approved to increase staffing in the Building Dept. with the goal to improve customer service and commitment to ongoing property enforcement. Mr. Pontbriand requesting input from the Board to move forward, advising to rate set by Union resulted in no one applying for the Asst. Building Inspector's position. Mr. Hillman suggesting to advertise for a full-time Building Inspector feeling Town would get better candidates. Ms. Livingston also agreeing stating it is time for a full-time inspector and closes the discussion. Ms. Conley requesting to take position out of Union. Mr. Pontbriand to advertise for a full-time Building Inspector and begin discussion to remove position from CBA.

5. Commuter Rail Trail Surface Parking Lot- Mr. Pontbriand advised to MART to come before the Board in May for a detailed update and timeline for this project.

6. Town Hall-Window Replacement- Mr. Pontbriand reviewed the project with the Board estimated originally at \$300-\$350K and in March of this year receiving a proposal in the amount of \$159K to refurbish the Ayer Town Hall Windows meeting Historic and Green Com. guidelines. Mr. Pontbriand advising to price holding until October 2014 and estimated at 45 days to complete entire project. Mr. Pontbriand reviewed the Board's options: UDAG, MaSave to do place article on Town Meeting Warrant and let people decide for \$170K. Ms. Conley suggesting to go before CPC again and replenish UDAG in October. Mr. Hillman suggesting Board looks into MaSAVE and inserts a placeholder to take funding from Free Cash.

10:00p.m. Ms. Livingston moved to extend meeting for fifteen (15) minutes, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Mr. Pontbriand advising to warrant has to be a printer on Friday the 25th by 12:00noon. The Board reviewed draft #4 dated 4-11-14. To include recent amendments to Business Certificates, and Brunch Hours and inclusion of Mt. Laurel Street Acceptance. Mr. Pontbriand also updated to the Board to two (2) Citizens Petitions received and verified. Mr. Gabree reviewed borrow articles.

JBOS Update- Chairmen Luca report nothing new

New Business/Selectmen's Questions- Chairman Luca reported that Post Office received no postage mailers from candidate running for office and Post Office unable to deliver without postage. Chairman Luca took this opportunity to wish Melisa Doig well upon her resignation and new position, speaking highly of her contributions to the Town of Ayer and closing with she will be missed greatly.

10:15pm Ms. Livingston moved to adjourn the meeting, 2nd by Ms. Conley, VOTE: unanimous, so moved.