

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



WEDNESDAY, May 21, 2014, 7:00pm
AMENDED 5-16-2014 (Originally Posted 5-15-2014)

Executive Session Meeting Agenda – 6:30pm

- 6:30pm** Call To Order in Open Session
- 6:35pm** Executive Session Pursuant to MGL Chapter 30A, Section 21A: Exemption #3
Collective Bargaining (AFSCME 93 Town Hall/Clerical Union Contract
Negotiations Strategy)
- 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** OLD BUSINESS
1. Improvement Plan for Old Groton Road
2. On-going Rotary Beautification Efforts and Adopt an Island Program
3. Organization of Building Department
4. Focus on Economic Development
- 7:45pm** TOWN ADMINISTRATOR’S REPORT
1. Report from Executive Session 5-6-2014 per OML (Fire Contract)
2. Discussion on Health Reimbursement Account (HRA) Unused Funds
3. Update on Town-Wide On-Line Permitting and Information
- 8:00pm** JBOS UPDATE **** (Amended to Agenda on 5-16-2014)****
1. Review/Discussion of Shirley Village Senior Housing Proposal
- 8:15pm** NEW BUSINESS / SELECTMEN’S QUESTIONS
**** (Amended to Agenda on 5-16-2014)****
1. Discussion on Process for Designation of Custodian of Town’s OPEB Trust
Funds (As approved by Article 30, of the May 12, 2014 Annual Town Meeting)
- 8:25pm** APPROVAL OF MEETING MINUTES
- 8:30pm** ADJOURNMENT



Town of Ayer

AYER BOARD OF SELECTMEN
OPEN SESSION Meeting Agenda and Meeting Packet
WEDNESDAY, May 21, 2014, 7pm
First Floor Meeting Room – Ayer Town Hall

CALL TO ORDER (7:00pm)

Review and Approve Agenda; Announcements

- The Town of Ayer's Memorial Day Parade sponsored by the American Legion Post 139 is scheduled for Friday, May 24, 2014. The Parade will begin at the Ayer DPW at 10:00am. Participants in the Parade will begin forming-up at 9:30am. There will be a Memorial at the Ayer Town Hall at approximately 10:30am. Following the Memorial, the Parade will continue to Pirone Park for the Naval Memorial which will take place at about 11:30am. The Public are invited to attend. For questions regarding the Parade and/or Memorial please call 508-423-0924 or 978-772-0019.

PUBLIC INPUT (7:05PM)



**AMERICAN LEGION
POST JOSEPH M. CONNORS #139
PO BOX 114
AYER, MA 01432**

12 May 2014

**Town of Ayer
Board of Selectmen**

The Memorial Day Parade is scheduled for Saturday, 24 May 2014. The Parade will begin at the Ayer DPW at 10:00 AM. We will begin forming-up for the Parade at 9:30 AM. There will be a Memorial at the Ayer Town Hall at approximately 10:30 AM. Following the Memorial, the Parade will continue to Pirone Park for the Naval Memorial, which will take place at about 11:30 AM.

The Town of Ayer will be responsible to provide a Podium and a Speaking System for the Memorial at Town Hall.

If anyone has questions, please contact me at 508-423-0924 or 978-772-0019.

Respectfully,

Tom Brown
Chairman, 2014 Memorial Day Parade
Senior Vice Commander, American Legion Post 139



OLD BUSINESS (7:15PM)

1. **Improvement Plan for Old Groton Road:** The BOS will discuss with DPW Superintendent an improvement plan for Old Groton Road to address drainage, erosion, and winter plowing issues.
2. **On-going Rotary Beautification Efforts and Adopt an Island Program:** At the request of Selectman Hillman, the BOS will discuss on-going beautification efforts for the Rotary and the Adopt an Island Program.
3. **Organization of Building Department:** The BOS will discuss potential reorganization scenarios for the Building Department in light of the passage of funding for a Full-Time Building Commissioner at Town Meeting as well as other scenarios to improve hours of operation to the public.
4. **Focus on Economic Development:** The BOS will discuss the development of a plan to focus on economic development in the Town to include marketing of Ayer's available properties/buildings; on-line access to economic development data; and an overall comprehensive strategy for promoting economic development.

TOWN ADMINISTRATOR'S REPORT (7:45pm)

1. **In accordance with the Open Meeting Law, the Town Administrator will offer an oral report from the BOS Executive Session held on May 6, 2014 pertaining to the Fire Contract Memorandum of Agreement.** At the conclusion of the public report, copies of the Memorandum of Agreement will be available to the public and posted on the Town's Web-Site under the Board of Selectmen's Page under the tab "Contracts".
2. **Discussion on Health Reimbursement Account (HRA) Unused Funds:** The Town Administrator will discuss with the BOS the issue(s) of remaining funds in the Town's Health Reimbursement Account (HRA) (See Attached)
3. **Update on Town-Wide On-Line Permitting and Information:** The Town Administrator will provide a brief update regarding the on-going efforts of the Town to have all permits, applications, and/or permitting information on-line. Additionally, efforts to expand on-line payments.

MEMORANDUM OF AGREEMENT
ON THE ESTABLISHMENT AND TERMS OF A HEALTH INSURANCE REIMBURSEMENT (HRA)
ACCOUNT

BETWEEN

TOWN OF AYER

AND

THE AYER TOWN HALL / CLERICAL UNION – AFSCME 93

THE AYER DEPARTMENT OF PUBLIC WORKS UNION – AFSCME 93

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS – LOCAL 2544

THE AYER POLICE SUPERIOR OFFICER'S UNION - NEPBA

THE AYER POLICE PATROL OFFICERS ASSOCIATION
(Patrolmen and Communications Divisions)

This Agreement, entered into by and between the Town of Ayer, Massachusetts hereinafter referred to as the "TOWN" and the Ayer Town Hall / Clerical Union; Ayer DPW Union; Ayer Fire Union; Ayer Police Superior's Union; and the Ayer Police Patrol Officers Union (Patrolmen and Communications Divisions), hereinafter referred to as "the CBUs" is designated to maintain and promote a harmonious relationship between the Town and such of its employees who are covered by the provisions of this agreement in terms of health insurance, in order that a more efficient and progressive public service may be rendered.

WHEREAS, the Town of Ayer ("the Town) and all of the abovementioned Collective Bargaining Units ("CBUs") have been negotiating Health Insurance of which the establishment of an HRA is a fundamental component of the Town and CBU's negotiations and mitigation plan;

WHEREAS, the Town and the CBUs have successfully and in good faith negotiated a mutually agreeable HRA subject to the approval of funding by Town Meeting have reached an agreement;

WHEREAS, the Parties have agreed to execute this Memorandum of Agreement pending the final drafting of a comprehensive Health Insurance Agreement between the Town and the CBUs;

NOW, THEREFORE, the Town and the CBUs agree as follows:

1. The Parties mutually agree that per the terms of the Health Insurance Agreement reached between the Town and the CBUs on February 1, 2012, the Town shall establish a Health Reimbursement Account (HRA) in a one-time, total amount of \$100,000.00.

2. The Parties mutually agree that the Town shall maintain the HRA unless one of the following three conditions occurs at which time the HRA shall terminate:

1. The \$100,000.00 initial deposit is depleted;
2. The period of three (3) years from the inception of the HRA (initial deposit) has passed.
3. The Town and CBUs change health insurance coverage from Minuteman Nashoba Health Group to another insurance provider.
4. If health insurance coverage changes from Minuteman Nashoba Health Group to another insurance provider, any funds remaining in the HRA will be distributed equally to all eligible, active employees and all eligible active retirees.

3. The Parties mutually agree that the Town shall be responsible for paying all administrative costs of the HRA which is approximately \$8,000.00 a year for up to three years.

4. The Parties mutually agree that the firm of Benefits Strategies of Manchester, N.H. shall serve as the Town's third party administrator for the HRA.

5. The Parties mutually agree that debit cards shall be issued to all employees and early retirees to be used for any and all legally permissible medical co-pays and deductibles to include but not limited to: eyeglasses, prescriptions, dental, etc.

6. The Parties mutually agree that each Family Plan will receive \$1,000.00 on a debit card and each Individual Plan will receive \$500.00 on a debit card to be used for co-pays and deductibles.

7. The Parties mutually agree that the HRA shall be effective on June 1, 2012.

8. The Parties mutually agree that in FY 2014 the Town will begin to offer a Flexible Spending Account (FSA) Program to all employees wishing to participate. The costs of the FSA administration will be borne by the Town.

9. The Parties mutually agree that the Town, the CBUs and Benefits Strategies shall meet no later than one-hundred (100 days) before June 1, 2013 to review and assess the status of the HRA and to determine the parameters of the HRA for the next year.

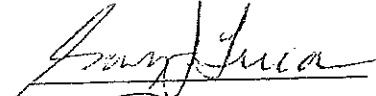
10. The Parties mutually agree that all of the above-mentioned terms and conditions were negotiated in good faith between the Town and the CBUs; and agreed to at the conclusion of the March 29, 2012 Negotiations.

11. The Parties mutually agree that the funding of the HRA is subject to appropriation by Town Meeting.

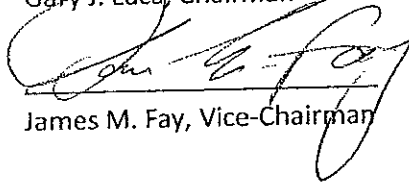
12. The Parties mutually agree that this Memorandum of Agreement shall take full force upon execution of the parties and that the terms and conditions of this MOA shall be memorialized in a final, comprehensive Health Insurance Agreement between the Town and the CBUs.

This Memorandum of Agreement is mutually agreed to and signed on March 29, 2012:

For The Town:

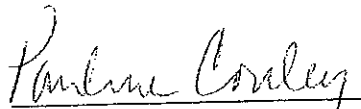


Gary J. Luca, Chairman

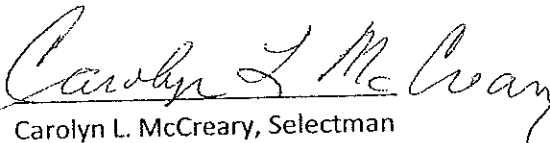


James M. Fay, Vice-Chairman

Frank F. Maxant, Clerk




Pauline Conley, Selectman

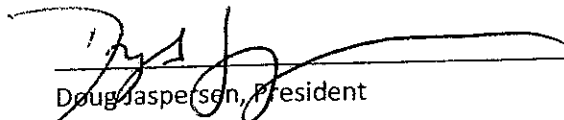


Carolyn L. McCreary, Selectman


For the Collective Bargaining Units:



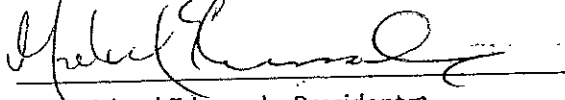
Susan Sullivan, President
Ayer Town Hall / Clerical Union, AFSCME 93




Doug Jaspersen, President
Ayer DPW Union, AFSCME 93



Jeremy Januskiewicz, President
International Assoc. of Firefighters, Local 2544



Sgt. Michael Edmonds, President
Ayer Police Superior Officers Union, NEPBA



Detective Andrew Kularski, Vice-President
Ayer Police Patrol Officers Association
(Patrolmen and Communications Divisions)

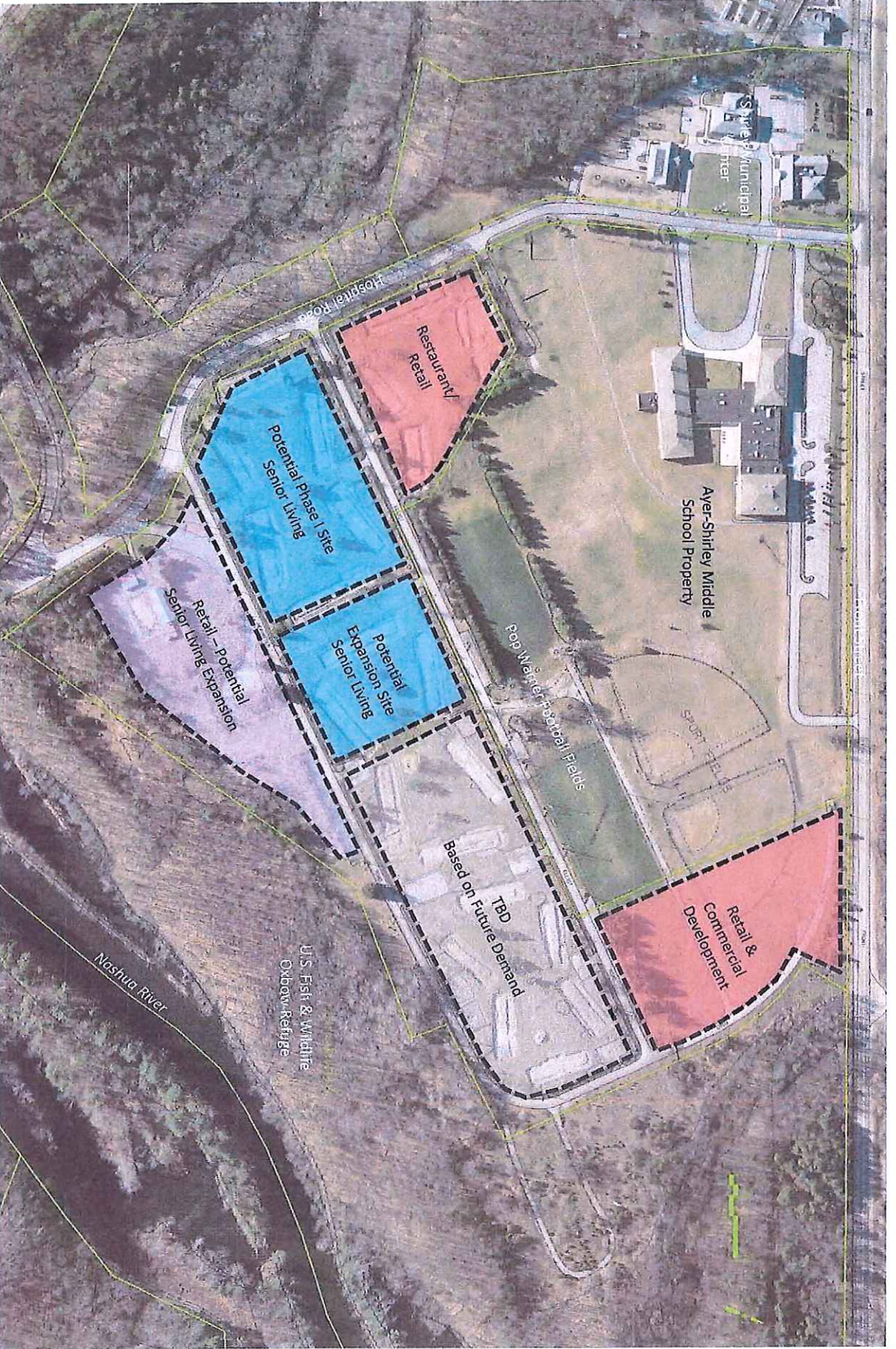
JBOS UPDATE (8:00pm)

1. **Review/Discussion of Shirley Village Senior Housing Proposal** (See Attached)

TALKING POINTS FOR JBOS 4/24/14

- Economic Development Committee was formed about 4 years ago and it became interested in what might be developed on the former Shirley land adjacent to one of our schools and other town buildings. We received a DLTA grant from MRPC to begin to investigate uses the town thought might be appropriate.
- We held a Surette with about 50+ townspeople to gather their suggestions. That indicated that the majority of the residents preferred a mixed-use development of the property with retain, offices and residential all being included. MRPC followed up with renderings of how the development might work.
- We took a trip to see a few such developments and focused on Mashpee Commons as the model we would prefer. We approached Mass Development to talk with them about our preferences which they said they would take under advisement. We have had subsequent meetings with them when a proposal crossed their desk that might work for this site.
- Recently Mass Development brought a proposal to us from a developer who had approached them about the potential of senior housing for part of the site. Our Committee felt this development would begin to work toward our goal of mixed use as the more people; the more retail development could be interested. However, a residential development (even restricted to 55+) would exceed the housing cap which Devens lives under.
- We presented the idea to our Board of Selectmen who wholeheartedly endorsed it. We presented to the Council on Aging who, again, was very enthusiastic about the idea.
- This area is zoned Village Growth which was originally supposed to replicate our Shirley Village area but housing for some reason was eliminated in the final, accepted plan. Therefore, we are asking you to consider a zoning change for this area and ONLY for this housing
- We are now bringing the idea to you for comment and, hopefully, support. We would propose a Super Town Meeting to ask the residents of the 3 towns for their approval to create additional senior housing. The development would be within the historic borders of Shirley and would be an addition to a small "community" area that has been established with the school, police station, library and town offices. We have the endorsement of our Board of Selectmen and our Council on Aging. And we would propose this housing would provide a preference for residents of the 3 towns to the extent the law allows. This would help to solve a shortage of such housing in the area while not taxing any of the towns relative to more costly town services.
- We hope you will agree.

Jackie Eselionis 978 257 0123
Jackie@KeystoneProperties.com



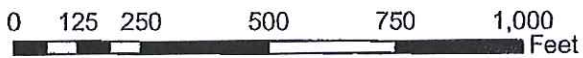
Shirley Village Growth Concept Plan – February 28, 2014 – CONCEPT PLAN FOR DISCUSSION PURPOSES ONLY

SHIRLEY VILLAGE GROWTH DISTRICT I



The Portion of the Shirley Village Growth District owned by Mass Development and available for redevelopment is approximately 38 acres in size.

This area determination does not include the irregular portion to the south of Hospital Road.



One inch equals approximately 350 feet
Prepared for the MRPC November 2, 2011
Believed accurate but use for planning purposes only





NEW BUSINESS / SELECTMEN'S QUESTIONS (8:15pm)

1. **Discussion on Process for Designation of Custodian of Town's OPEB Trust Funds** (As approved by Article 30, of the May 12, 2014 Annual Town Meeting) (See Attached)

Sponsor: Board of Selectmen
Finance Committee: Recommends

Simple Majority Vote Required

ARTICLE 30. DESIGNATION OF CUSTODIAN OF TOWN'S OPEB TRUST FUND

To see if the Town will vote pursuant to the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, Section 57 of the Acts of 2011 (the "Act"), to designate the Health Care Security Trust (HCST) board of trustees to serve as custodian of the Town's OPEB Trust Fund; and authorize the Town Treasurer with the approval of the Board of Selectmen to execute and deliver the Custodian and Investment Agreement with HCST; and further to authorize the Town Treasurer to sign checks and wire OPEB Trust Funds to HCST or to the Pension Reserves Investment Trust (PRIT), or as it may otherwise be directed by HCST, and to make withdrawals and investments and enter into such agreements and deliver such certificates and other documents as HCST or the PRIT Management Board may direct; to authorize the Town Treasurer to transfer any and all funds that have been and will in the future be appropriated for the purpose of meeting the Town's OPEB funding requirement to HCST or PRIT; and transfer the sum of \$528,864.35, or any other amount, and any applicable additional interest accrued as of February 28, 2014 as the initial investment into the OPEB Trust Fund, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee: Recommends

Simple Majority Vote Required

Note: The \$528,864.35 consists of \$10,000 dedicated to OPEB in FY 2012; \$40,000 dedicated to OPEB in FY 2013; \$170,000 dedicated to OPEB in FY 2014 and \$300,000 for FY 2015 (contingent on the passage of Article 29)

ARTICLE 31. STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$785,136 or such other sum or sums of money, to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, and to transfer 25% of said sum to capital stabilization per the Town's Financial Policies or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee: Recommends

Two-Thirds Vote Required

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 32. COMMUNITY PRESERVATION ACT

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

2014 Annual Town Meeting Warrant

APPROVAL OF MEETING MINUTES

Jan. 7, 2014
Jan. 21, 2014
Mar. 25, 2014
Apr. 15, 2014
Apr. 22, 2014
May 6, 2014

ADJOURNMENT

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, January 7, 2014
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

The Board of Selectmen's Open Session Meeting is video recorded by APAC.

The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: www.ayer.ma.us

Chairman Luca called the meeting to order at 7:20p.m. Present: Chairman-Gary J. Luca, Vice-Chairman Christopher Hillman, Clerk -James M. Fay, Members, Pauline Conley and Jannice Livingston, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. Chairman Luca apologized for late start to Open Session due to earlier Executive Session running late.

Announcements- Chairman Luca called for a moment of Silence for Patricia "Pat" Walsh who passed away on Friday, January 3, 2014. Chairman Luca took a few minutes to reflect upon Mrs. Walsh's many years of public and community service to the Town of Ayer.

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

- Mr. Pontbriand requested to add a Lien Subordination Request and to publicly report on Selectmen's Executive Session Action/s per OML if applicable.
- Ms. Conley two items under Selectmen's Questions/New Business-Dissemination of Information
- Scheduling of Selectmen's Meetings
- Mr. Fay re moving up the Minutes before New Business/Selectmen's Questions

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

1. Certification of Unpaid Water and Sewer Lien Accounts-Ms. Conley moved the Board vote to approve and sign the Unpaid Water/Sewer Lien Accounts dated 12-3-13 in the amount of \$151,998.79 pursuant to MGL Chapter 40, Section 42C, 2nd by Mr. Fay, Ms. Conley requested Board post list on the Town's Website. Mr. Hillman requesting list of properties turned off (water) from Supt. Wetzel after bringing the Board's attention to list of past offenders, VOTE: unanimous, so moved.

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

1. Public Report -OML Selectmen's Executive Session items-

1. Mr. Pontbriand advised to the Board voting to authorize a Reserve Fund Transfer re 111F to be submitted to Fin-Com for their review.
2. Mr. Pontbriand advised to Board voting to sponsor CPC Application re Kohler Place for Open Space being submitted to CPC's Meeting on 1-8-14.

2. Dam & Pond Committee Appointment-Mr. Pontbriand advised to Park Commissioners recommending the appointment of Jeff Thomas-Park Director as the Commissions designee to serve on the Dam & Pond Committee for one (1) year term expiring on 6-30-14. Motion to approve made by Mr. Fay, 2nd by Ms. Conley, VOTE: unanimous, so moved.

3. Quitclaim Deed for Acceptance of Easy Street as a Public Way- Mr. Pontbriand updated the Board to Town voting to accept Easy Street in May 2013 as a Public Way and final step in process is the Quitclaim Deed for Acceptance of Easy Street. Ms. Livingston moved the Board vote to approve the Quitclaim Deed for Easy Street prepared by Town Counsel Katharine Klein and reviewed by Supt. Wetzel, 2nd by Ms. Conley VOTE: unanimous, so moved.

4. Draft 2015 Selectmen's Office Budget- Mr. Pontbriand advising to Fy-15 Budget level funded except for Town Administrator's 2% salary increase. Mr. Pontbriand advising to 10% insurance increase across the board and Town Counsel funded AT \$78K running 5% over budget and Workman's comp.- school, backed out. Ms. Conley requesting Selectmen's Budget is approved by Selectman before it goes to Fin-Com and noting Selectmen's Secretary salary change and addition of line item to include Health Insurance. Mr. Fay also requesting getting update on 24D potential litigation from Town Counsel for Board's 1-21-14 Meeting.

76 Central Avenue-Mr. Pontbriand updated the Board to RFP re Habitat under his report for the Board's review in accordance with MGL C 30B rescheduled from 12-17-13. Ms. Spinner requesting clarification re issuing RFP and Board's intention re going forward with Habitat. Mr. Pontbriand advising to RFP transparent process re Public Procurement for disposition of Real Estate necessary under 30B. Ms. Conley expressing concern if another non-profit comes forward. Mr. Pontbriand advising to Board voting on 7-2-14 to transfer property to Habitat. Mr. Fay moved to approve RFP for 76 Central Avenue as presented, 2nd by Ms. Conley, VOTE: unanimous, so moved.

Old Central Fire Station- Mr. Pontbriand advised the Board to their vote of 11-8-13 to dispose of the Central Fire Station pursuant to MGL Chapter 30B and a RFP being prepared for Selectmen's 2-4-14 meeting re disposition. Mr. Pontbriand also reviewed the Park Commissioner's request concerning storage of their equipment presently housed in the old Fire Station. Alternative sites/buildings were discussed re potential storage areas. Ms. Conley suggesting RFP be tweaked to include Historical value and Mr. Fay also suggesting to re look at Fire Station Report. Draft RFP to be prepared for Board's review on 1-21-14.

Lien Subordination-The Board met with Alicia Hersey, Financial Manager- Office of Community & Development re Lien Subordination for Case #06-315. Ms. Hersey advised to property owner wishing to obtain a new loan to lower her interest rate from 6.50% to 4.75% and using the new loan to pay off her existing first mortgage. Mr. Fay moved the Board vote to approve the subordination of the Town's lien conditioned upon a new mortgage not to exceed \$151,057.00, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Town-wide Life Insurance Policy Proposals- Mr. Pontbriand reviewed with the Board earlier discussion re increasing the Life Insurance coverage going as far back as November 2012 and again as recent as March 2013 to which the Board was presented three proposals, the Board took no formal action. Mr. Pontbriand advising to some of the Town's Collective Bargaining agreements had the 75%-25% split in them others nothing. Presently the current Life Insurance coverage is \$2K with a 75%-25% split and has not been updated since 1959. The Board discussed making Life Insurance a Town-wide policy and take out of Collective Bargaining Agreements and increasing Life Insurance to \$5K. Ms. Conley suggested to send Memo to Fin-Com how this will fit into Fy-15 Budget -\$5K good place to start and remember to review every few years. Ms. Conley moved the Board approve increase in Life Insurance to \$5K for those who wish to take and request Fin-Com's approval, 2nd by Ms. Livingston, VOTE: unanimous, so moved. Mr. Pontbriand advised to Fin-Com meeting on 1-22-14.

Minutes-

10-15-13-Ms. Conley requesting amendment to page 3 stating official repository is Town Clerk. Motion to approve made by Mr. Fay, 2nd Ms. Livingston, VOTE unanimous, so moved.

11-12-13- Ms. Conley requesting amendment to page 3 under Supt. Wetzels's Report re Board's appointment to curbside working group change from Mr. Luca to Mr. Hillman. Ms. Livingston requested to change meeting time extension from 10:00pm to 9:45pm at top of page 3. Mr. Fay moved to approve the 11-12-13 minutes with amendments so stated, 2nd by Ms. Livingston, VOTE: unanimous, so moved.

11-19-13 Ms. Conley requested to amend on page 1 to state she no longer checks emails on regular basis to state she no longer receives Town emails on cell phone. Ms. Livingston requested minutes be re-typed to incorporate change due to Ms. Conley's job being jeopardized. Ms. Livingston moved to approve with amendment, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

12-3-13 -Mr. Fay moved to approve the minutes of 12-3-13, 2nd by Mr. Hillman VOTE: unanimous, so moved.

12-27-13 Minutes setback for next meeting.

New Business/Selectmen's Questions-

Selectman Hillman

1. Economic Analysis of Ayer Update- Economic analysis missing on Town of Ayer. Looking at ways to market Ayer in positive way-centralizing information. Look at having APAC video town Hall, Schools, Down-town, High School renovation have APAC develop 30 minute DVD. Mr. Pontbriand offering to contact Fitchburg state re recruiting intern/s to assist. The Board requesting to hold off on until Marketing Plan is developed.

2. Memorial Garden Vegetation Plan Update-Ms. Livingston stated Board tasked the Memorial Garden vegetation plan with the Town Administrator who was to work with Town Facilities Director, local Landscaper (Pinard's), Memorial Garden Committee and Tree Warden to develop. This was interfered with, questioning who authorized local company to cut back trees. Ms. Livingston requesting to always check with Town Administrator/Board before making changes on Government property, stating again her frustration when the Board told the Town Administrator to take care of. Mr. Pontbriand produced petition dated 1-6-14 submitted by Town Employees wishing to preserve/keep trees in the Memorial Garden. Mr. Luca requesting no interference is permitted with those involved with the vegetation plan.

3. Working List re Projects- Mr. Hillman requesting a list be developed re a lot of good ideas brought forward by the Board with timeline and to frequently check this list from time to time be prepared in the form of a matrix. Mr. Pontbriand requested each of the Board member remit back to him a list of items/projects they would like pursued and he will prepare matrix for Board. Ms. Conley referring back to the Memorial Garden discussion requested the "Cannon" in front of Town Hall be moved and pointed in the right direction before Memorial Day.

4. Curbside Announcement-Mr. Hillman corrected newspaper announcement that Town is going Curbside in 2014 advising more accurately that the Board has authorized a "working group" to come back with their findings for Board's review.

Chairman Luca

-Town Wide permitting-Chairman Luca gave the Board a brief overview of streamlining the Town's permitting process on line via the mondopad, requesting Department Heads put together format for their Department re procedures/requirements and set deadline for compliance by end of February -1st of March 2014. Chairman Luca offering to take this task on with Town Administrator.

JBoS Update- Chairman Luca advising at last meeting of the JBoS a non-binding referendum was discussed requiring Governance of Structures in the DREZ. Ms. Conley requesting all contact information is sent out to all members of the Board in the future.

Ms. Conley

1. Downtown Street Lighting Replacement Update-Mr. Pontbriand advised to Memo dated 1-3-14 from Supt. Wetzel in packet re timeline and liquidated damages request of \$200/per day be instituted as of day poles were delivered until project is completed. Chairman Luca stating street lights much brighter. Ms. Conley also noting some globes pink along West Main St. i.e. cleaning/maintenance required.

2. 2014 License Renewals-questioning who authorized letter/s re two licensees. Taking exception to Partridge letter advising to revoking license, stating Board never voted to revoke license nor do minutes reflecting revoking license. Schwartz letter Board voted to release license only after receiving certified Tax payment records, did not authorize payment plan. Mr. Pontbriand advising to Schwartz License in vault not released waiting upon certification. Ms. Conley clarified the Tax Collector cannot clear Tax Title, Treasurer ensures clear.

3. 37 Willard Street-Ms Conley stating her concern re State Statute declaring 37 Willard Street a Nuisance must be delivered to property owner by Constable, which she read into record. Mr. Pontbriand advising to Town Counsel informing him it was acceptable to serve by Certified Mail. Ms. Conley requesting to have Town Counsel certify same.

4. Old Groton Road- Ms. Conley informed Board to Road plowed by two privately owned trucks during last storm no one saw Town trucks there, questioning if Town hired private contractor to plow the road.

Chairman Luca stating not town trucks. Ms. Livingston stating probably neighborhood/friends helping out. Mr. Hillman reminding all too private roads on May Agenda re discussion. Mr. Fay stating Town Meeting voted to plow road back in 1960, plow it.

5. Dissemination of information- Ms. Conley stating her concern after going through enormous amount of emails per her Public Information request to the Town Administrator (2 boxes full) it being painfully apparent everyone isn't always communicated to and wants practice more diligently enforced. Everyone has the right to see all documentation. Chairman Luca stating that is why Board has Town Administrator to disseminate information. Mr. Fay suggesting Board goes back to reading file on counter. Ms. Livingston stating first Ms. Conley stated all information should go through the Town Administrator now stating just the opposite; waste of time and resources discussing emails again waste of Boards and voters time. Mr. Hillman stating he doesn't feel he is missing anything understands Pauline's concern, but everything is going through Robert he knows of. Ms. Conley stated topics she wanted on the agenda was emailed to Town Administrator and Chairman Luca responded, it never made it to rest of the Board that is what she is talking about.

6. Selectmen's Meetings- Ms. Conley expressed her concern re common courtesy to ask all Board members if they can be available to meet especially for early 6:00p.m. Executive Sessions. Ms Livingston stated the Board discussed meeting at 6:00p.m. and stated as long as there is a quorum meeting can occur why nit-picking again, needs to stop. Chairman Luca agreeing if we have a quorum Board meetings for Executive session will be at 6:00p.m. Ms. Conley requesting to try to schedule meetings when everyone can be there, common courtesy. Mr. Hillman stating he does not take offense if Board meets without him when he cannot meet early. Mr. Fay stated he supports vote of Board.

9:40p.m. Ms. Livingston moved to adjourn the meeting, 2nd by Mr. Hillman VOTE: Unanimous, so moved.

9:40p.m. Meeting adjourned.

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

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

Chairman Luca requested if there were any amendments to the Agenda. None. Chairman Luca called for a motion to approve the Agenda. Ms. Livingston moved to approve the agenda 2nd by Mr. Fay, VOTE: unanimous, so moved.

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

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

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

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

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

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

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

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

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

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

Town Administrator's Report-Mr. Pontbriand absent

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

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

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

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

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

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

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

New Business/Selectmen's Questions-

Mr. Hillman-

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

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

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

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

5. Business Certificates-requesting update.

Ms. Livingston-

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

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

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

TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, March 25, 2014-7:00P.M.
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

Chairman Luca called the meeting to order at 7:10p.m. Present: Chairman-Gary J. Luca, Christopher R. Hillman, Vice-Chair, Members: Pauline Conley, Jannice Livingston and Janet Lewis, Secretary. Mr. Pontbriand absent on bereavement leave.

Chairman Luca welcomed back Jim Fay to the meeting for the annual 2013 Board of Selectmen's picture for inclusion in the 2013 Annual Town Report.

Chairman Luca requested if there were amendments to the Agenda. None

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

Public Input: Chairman Luca requested if there was anyone wishing to speak with the Board under Public Input.

James Fay: Taking this opportunity to thank everyone for all their support and thoughtfulness during his wife's illness advising all to the cards and calls are most appreciated. Mr. Fay took this opportunity to advise the Board to his wishing to remain on the Memorial Garden Committee along with his wife and Janet Lewis who also requesting to stay on the committee Mr. Fay closed with the following "with your continue support we will return to public service soon".

Eagle Scout Presentation-The Board welcomed to the table Eagle Scout Ian Smith. Present for the Meeting, Karen Januskiewicz, Leader of Boy Scout Troop 3, Ayer, MA, and Ian's parents. Chairman Luca read into the record a Certificate of Recognition presented to Ian from the Board of Selectmen congratulating Ian on designating his Eagle Scout Project towards the locating, cleaning and mapping out of Veterans graves and markers at St. Anthony's Parish Cemetery in Shirley, MA. The Board paused for a few minutes to take a picture with Ian and congratulated Ian on electing to perform his project honoring the memory of deceased veterans.

2013 Annual Town Report Cover-Ms. Knox re-presented the Board the four (4) selections for the 2013 Annual Town Report Cover. The Board elected to approve the picture of the Town Hall Granite Sign and requested to change the background color from black to maroon the School colors. Mr. Luca also advised to the 2013 Annual Town Report being dedicated to Wellman Parker former Fire Chief, Wiring Inspector, Emergency Management Director who passed in 2013.

Mr. Hillman took this opportunity to state how impressed he was with the School Building Committee's scope of work/achievement and how much has been done and making quite a difference. Ms. Livingston agreeing adding school built with a lot of love, contusive to a good education. Ms Conley also adding school floors to be cut up and anyone wishing flooring to contact school.

April 28, 2014 Town Election Warrant

The Board reviewed and voted to sign the 4-28-14 Annual Town Election Warrant submitted by the Town Clerk John Canney. Motion to authorize the Board's signature made by Ms. Conley 2nd by Ms. Livingston, VOTE: unanimous, so moved.

Shaker Hills Country Club-Change of Hours Request-The Board met with JoAnn Upton, General Manager of Shaker Hills Country Club. Ms Upton requested an extension to Shaker Hills liquor license serving hours on Sundays and Holidays per MGL Chapter 138 S 33B to allow for serving of alcohol during brunch hours commencing at 10:00am. The Board reviewed the Town's By-law Article 16. Selectman Conley stating the Bylaw states the selling of alcohol beverages specifically states starting at 11:00a.m. on Sundays questioning how the Board can approve a 10:00a.m. start time. The Board offered to take this up at their next meeting if Shaker Hills wishes to re-submit for 11:00a.m. Ms. Upton agreeing to come back on the 1st of April to meet with the Board. The Board to entertain a warrant article on the

May 2014 ATM Warrant to amend language to start at 10:00a.m. on Sundays to allow for Brunch service.

Comprehensive Survey of Ayer Ponds- The Board met with Bill Daniels, Chairman of the Conservation Commission, Jessica Gugino, George Bacon Members. Charles Miller and Don Rzasz from the Pond & Dam Committee. Mr. Daniels opened the discussion by updating the Board to Con-Com soliciting an RFQ for a comprehensive study/biological assessment of Ayer ponds: Sandy, Flannigan, Long Pond, Pine Meadow, Balch & Grove Ponds; advising to the Con-Com selecting Geosyntec's revised proposal on 9-30-13 after meeting with the Dam & Pond Com and Geosyntec on 6-27-13. Mr. Daniels stated the Con-Com & Dam & Pond Com. is currently pursuing CPC funding to fund the comprehensive survey and biological assessment. Mr. Daniel advising to this funding also to be used to Formulate/recommend a long term management and recreation risk assessment for Grove Pond. Mr. Daniels stating this funding would allow the town to preserve and protect open space/natural resources, would serve both open space and recreational interests, would help Town to be able to apply for grants for State assistance, grant funding and other funding available re implementation of projects, and has the support of both the Con-Com and Dam & Pond Committee along with other multiple Town Boards. Mr. Daniels advising to total project cost submitted by Geosyntec is \$83,032.00 to complete the project.

Mr. Daniels stating the project is both practical and feasible; the project narrowed, and can be completed in a timely fashion during the targeted months of August and September 2014. Mr. Daniels advising to total funding required to complete the work being \$83,032.00 the Con-Com having 2011 CPC commitment of \$10K, Supt. Wetzel committing \$15K from Storm water Acct., and Con-Com currently before CPC for an additional \$20K reducing the \$83,032.00 by \$45K and before the Board this evening seeking Town funding for the remaining \$38K. Ms. Conley suggesting to support Con-Com's request for \$40K from Free Cash and back up article with UDAG Funds should article fail, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Ms. Conley amending motion to include language the Board supports adding article on Annual Spring Town Meeting to request funding for Dam & Pond Committee to fund Geosyntec's Comprehensive Study/Biological Assessment of Ayer ponds.

Town Administrator's Report-

1. Council on Aging Appointment-The Board approved the recommendation from Sr. Paula McCrea, Chairman of the COA to appoint Lisa White to the COA to fill the unexpired term of Priscilla Hottel's three year term 3-25-14-to 6-30-16. Motion made by Ms. Conley, 2nd by Mr. Hillman.
2. Old Fire Station RFP - Mr. Hillman recused himself from participating in the review/selection process re the Old Fire Station due to his professional association with one of the bidders. Ms. Conley requesting to meet with the two bidders after the Board completes their evaluation, new evaluation sheets were distributed to the Board, and requesting to schedule them in for the Board's 4-1-14 meeting.
3. Public Hearing -FY-2015 Water/Sewer Rates- The Board approved Mr. Pontbriand's recommendation and scheduled the Fy-15 Water/Sewer Rates Public Hearing for Tuesday, April 15, 2014 at 7:00p.m. on the Selectmen's Agenda. Motion made by Ms. Conley 2nd by Ms. Livingston VOTE: unanimous, so moved.
4. Public Hearing Fy-2015 Budget-The Board approved Mr. Pontbriand's request to conduct a Public Hearing on Tuesday, April 22, 2014 at 7:00pm regarding the Fy-2015 Budget. Motion made by Ms. Conley 2nd by Ms Livingston, VOTE: unanimous, so moved. The Fin-Com to be in attendance to present their recommendations and Personnel Board to be present regarding recommended COLA.
5. Town Hall Window Replacement Proposal-The Board reviewed the Energy Com's Capital Budget Window Study/Analysis recommendation for replacing the windows (specially made) at Town Hall submitted by Dan Sherman at a cost of \$159,618.00. The Board requested Fin-Com weigh in on with their recommendation re funding options i.e. funding from Free Cash and/or other funding source/s.

Ms. Conley suggesting partially funding at ATM and finish on FTM urging Board to keep this project on line.

6. Town Meeting Warrant- The Board reviewed Draft #2 dated 3-20-14 which included input from Bi-Board. The Board agreed to support the use of Free Cash re the items discussed at Bi-Board 3-20-14 meeting.

JBOS Update- Chairman Luca advised to nothing new to report on -next meeting 3-27-14. Ms. Conley requesting if Grant Road id next development site and why clear cutting is going on at the airport i.e. Bishop Rd. end of Shirley Farm Road/RR behind airport. Chairman Luca unable to answer but will bring up at the next JBOS Mtg. on 27th.

Selectmen's Questions/New Business-Sandy Pond Truck Traffic

Mr.Hillman urging the Board stay on top of this issue-advising to recent observance of a truck coming off the bridge in excessive speed questioning if he would have been able to stop if there was pedestrian in the crosswalk. The Board discussed means to address i.e. traffic count, placement of large speed bumps, and use of police video surveillance at intersection. Mr. Hillman urging again to stay on top of and have town Administrator speak with Chief.

Business Certificates-

Ms Livingston questioning why it is taking so long to get new increase into effect, Board approved new rate months ago, requesting also to stay on top of this issue.

Building Dept.- Mr. Hillman stating his frustration with this staffing issue going on for over a year. Funding was approved for hiring assistance at a higher rate and funding approved at \$36,107 and to hire person.

Minutes- Ms Livingston moved to approve the Minutes of 1-21-14, 2nd by Mr. Hillman Vote unanimous, moved. Ms. Livingston moved to approve the Minutes of 2-4-14, 2nd by Mr. Hillman VOTE: unanimous, so moved. Ms. Livingston moved to approve the Minutes of 2-18-14, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Ms. Livingston requested to bring back Willow Development on 4-1-14 Selectmen's Agenda.

8:45p.m. Ms. Livingston moved to adjourn the meeting, 2nd by Mr. Hillman VOTE: unanimous, so moved.

_____ date: _____

Jannice L. Livingston, Clerk
AYER BOARD OF SELECTMEN

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.