



SEP 27 - 2013
10:35AM *SP*

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

Tuesday, October 1, 2013, 7:00pm

Meeting Agenda
(Page 1)

7:00pm CALL TO ORDER – Announcements; Review, Amend and Approve Agenda

Approval of Minutes

- August 22, 2013; September 3, 2013

PUBLIC INPUT

Fire Chief Robert Pedrazzi

- BOS Approval of FEMA Reimbursement Grant (\$30,777.84 for Feb. 2013 Blizzard)

Mr. David Maher, Director, Department of Community and Economic Development

- Advocates Grant
- TIF Agreement for L3 Update
- Business Certificates Update

Ms. Cindy Knox, I.T. Systems Administrator

- Proposed Policy for I.T. Hardware/Software Acquisition

Mr. Mark Wetzal, DPW Superintendent

- Crabtree Wastewater Pumping Station Upgrade
- Sidewalk in front of 21 Main Street Update
- Proposed Changes to Industrial Pretreatment Permits
- DRAFT Wastewater NPDES Discharge Permit Update

Town Administrator's Report

- OML (Open Meeting Law) 940 CMR 29.10: Remote Participation for Public Meetings
- Proposed Policy for the Posting of Meeting Minutes to the Web-Site
- Proposed Policy for the Acquisition of Furniture; Equipment; and Alterations for Town Hall
- Proposed Town-Wide Policy on Cell Phones
- Proposal for Placement of Signs on Public Lands
- Easy Street Public Street Acceptance
- Special Fall Town Meeting Warrant DRAFT #3 and DRAFT #4
- Town Administrator's Electronic Communications Policy Protocols
- Rates and Fees Study Committee
- Habitat for Humanity Update

SEP 27 2013
10:35AM
SB



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

Tuesday, October 1, 2013, 7:00pm

Meeting Agenda
(Page 2, Continued)

BOS Policies and Procedures Review and Update (On-going)

- Final Review and Update of BOS Policy 99-27 (2001)
- Review of BOS Policy 01-01
- Review of BOS Policy 99-24 Minutes

JBOS Update

- Devens Transition & Integration Matrix
- Selection of BOS Alternate Representative to JBOS

BOS Open Discussion

- Times on the BOS Agenda (Selectman Fay)
- Landscaping of Memorial Garden Next to Town Hall (Selectman Hillman)
- Construction and Placement of a Town Gazebo (Selectman Hillman)
- Electronic Devices for BOS Meetings (Selectman Luca)
- Purchasing of Street Lights (Selectman Luca)

Future Topics/Meeting Schedule (See Packet Attachment)

- Fri. Oct. 11, 2013, 12pm (Noon) Final Deadline for Fall Town Meeting Warrant
- Tue. Oct. 15, 2013, 7pm, BOS Regular Meeting
- Mon. Oct. 28, 2013, 7pm, Special Fall Town Meeting (Great Hall)
- Tues. Nov. 5, 2013, 7am-8pm, Special Town Election
- Discussion on BOS November 2013 Meeting Schedule

ADJOURNMENT

Town of Ayer
AYER BOARD OF SELECTMEN
Meeting Packet for Tuesday, October 1, 2013, 7pm
1st Floor Meeting Room – Ayer Town Hall

7:00PM CALL TO ORDER
Announcements; Review, Amend and Approve Agenda

APPROVAL OF MINUTES

August 22, 2013; September 3, 2013;

PUBLIC INPUT

TOWN OF AYER SELECTMEN MEETING MINUTES
Thursday, August 22, 2013

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

Ms. Conley called the meeting to order at 7:10p.m.

Present: Pauline Conley, Chairman, Gary J. Luca-Vice Chairman, James Fay-Member, Jannice Livingston, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. Mr. Hillman absent.

Mr. Pontbriand requested to delete the Rex Trailer Event update advising that the matter has been resolved, to add a request from St. Mary's' for a Two-Day Beer & Wine License for September 6 & 7, 2013, and an item re the Board's future meetings.

Mr. Fay moved to approve the Agenda as amended, 2nd by Mr. Luca. VOTE: unanimous, so moved.

Minutes: Mr. Luca moved to approve the minutes of 8-6-13, 2nd by Mr. Fay, VOTE: unanimous.

Public Input: None

Mr. Pontbriand reported that the Public Input Matrix is now on the Town's Website for 2013

Economic Development by Ms. Alicia Hersey:

1. Housing LIP Unit Refinancing – Owner of 68 E. Main Street Unit #2 is requesting approval to refinance their mortgage at a fixed interest rate in the amount not to exceed \$92,900.00 which is within the guideline limits of EOOD. Motion to approve made by Mr. Luca 2nd by Mr. Fay, VOTE: Unanimous.
2. The Close-out Report for the Fy-11 CDBG Block Grant approved by the Board on 7-2-13 was misplaced in Boston and requested the Board's authorization to allow the Chairman to sign a new copy of the document. There was no objection.

Thomas Horgan, Town Moderator:

Present for discussion John Canney, Town Clerk/Tax Collector.

Mr. Horgan suggested the Board schedule the October 28, 2013, Fall Town Meeting at the Ayer Town Hall due to the renovation project at the high school. Mr. Horgan informed the Board of the historical background and of adequate seating available and parking utilizing spaces at the bank, Library, Central Ave., Main, Newton & Columbia Streets. The Board informed Mr. Horgan the location of Town Meetings are the Moderator's decision. Mr. Horgan then advised the Fall Town Meeting would take place in the Great Hall.

Mr. Horgan also reported on speaking with the Town Clerk re Special Election for the Home Rule Petition. Mr. Canney advised the Board that funding is available in his Fy-14 budget and provided a draft Election Warrant suggesting the vote be held on November 5, 2013 as this would meet the requirements stipulated in the Petition. Selectman Luca moved to approve the Home Rule Petition Election as presented by Mr. Horgan and Mr. Canney for November 5, 2013, 2nd by Selectman Fay, VOTE: unanimous.

Town of Ayer's Financial Management Letter:

Present for the discussion: Finance Manager Lisa Gabree, James Giusti, CPA, Giusti, Hingston & Co., Town Clerk/Tax Collector John Canney and Town Treasurer Stephanie Gintner.

Ms. Gabree opened the discussion by advising to no findings or irregularities in the annual audit and that the discussion was to hear suggestions that would be pro-active to make reconciling cash flow and other finances more efficient and timely.

Mr. Giusti reviewed a July 18, 2013 Update to the April 30, 2013 Audit Report. The update was prepared after meeting with Ms. Gabree, Mr. Canney and Ms. Gintner. (Both reports are attached)

The following areas of concern were discussed in detail:

- **Tax Collector's Depository Bank Account**

Mr. Giusti recommended closing the Tax Collector's account reopening it in the Treasurer's name so that all tax collections would be deposited into the Treasurers bank account in the same manner that all other department receipts are turned over to the Treasurer. Mr. Canney and Ms. Gabree agreed w/the recommendation. Ms. Gintner did not. Mr. Luca motioned that the Tax Collector close the account as soon as possible or by 9-25-13 when new policy will be in effect and have the Treasurer open an account so the tax Collector could deposit receipts directly to that account, 2nd by Mr. Fay. Ms. Gintner objected, stating the motion was not valid because the Board cannot tell an elected official what can/cannot do. Ms. Conley stated there is no change in process only name on account. VOTE: unanimous.

- **Ambulance Receipts**

Mr. Giusti recommended an analysis of this account be made as to why it set up and if there is a specific reason to keep it open. If not, Mr. Giusti recommends it be closed, the balance transferred to the Town's regular depository bank and future receipts be deposited into the regular account.

Ms. Gabree advised that the Fire Chief informed her that Medicare and MassHealth receipts are deposited directly into this account and that it could be cumbersome to change bank routing numbers/paperwork with the Federal & State governments. Ms. Gabree agreed with Mr. Giusti, subject to more information from Chief Pedrazzi, that there is no reason to retain the ambulance bank account

- **Health Insurance-Retirees**

Mr. Giusti updated the Board to an update to MGL Chapter 32B Section 9A 1/2 permitting municipalities to bill other municipalities for the percentage of a retiree's health insurance premium based on length of service. Thus, the Town of Ayer may bill for that portion of premium contributions that corresponds to the percentage of the retirees' service in Ayer.

Ms. Gintner advised she has been aware of this new law for over a year and inquired of other municipalities what they are doing. Ms. Gintner is of the opinion along with many other Treasurers that the law is a poorly written and unworkable i.e. retirees who worked for towns that did not offer Health insurance vs. Towns that did, questioning who has to pay for the time worked in the Town that did not offer health insurance to its retirees.

Ms. Gabree stated she sent a Public Records Request to Ms. Gintner for copies of retiree bills the Town has received to which the Treasurer has to respond. Ms. Gintner stated she wanted assurance bills will not be paid until matter is settled, that it is her decision not to pay. Ms. Livingston questioned Ms. Gintner if someone in authority told her not to pay, i.e. State or the AG. Ms. Gintner stated again the law is broken because of the way it is written.

Mr. Pontbriand suggested it would be prudent to have a system in place regarding retirees' health insurance payments in order to know who to bill, to encumber funds and be prepared to pay incoming bills. Mr. Pontbriand disagreed with Ms. Gintner's suggestion to do nothing. Mr. Fay expressed concerns about having money owed to us which the Town is not collecting. Ms. Conley stated the Board should have a discussion with the FinCom to create a solution, suggesting Board run last three years Financials on the website.

- **Written Cash Investment Policy**

Mr Giusti advised that as of 6-30-12 a significant portion of the Town's cash was uninsured and uncollateralized. Mr. Giusti recommended the Town's investment policy be reviewed and a formal written policy be developed to include minimum ratings for investments vehicles (such as Moody's) must have in order for the Treasurer to invest in them as well as a policy for the maximum acceptable amount of uninsured or uncollateralized deposits in a particular bank.

Ms. Gintner responded that it is not a requirement by the state for municipalities to collateralize funds, that Towns funds are deposited in safe secure banks with high ratings by Veribanc with net assets more than enough to cover any losses should something happen to the solvency of the banks. Ms. Gintner also advised that as of April & May 2013 Town funds are in Sweep Accounts to cover collateralization with the exception of funds deposited to NMSB, which funds are covered by FDIC for \$250K and DIF for balances over \$250K.

- **Snow and Ice Removal**

Mr. Giusti recommended the Town review its policy & procedure on deficit spending for those expenses that are variable and unpredictable from year to year depending on the severity of the winter. Deficit spending is not authorized for expenses for regular, recurring DPW activities or salaries that are predictable.

Ms Gabree advised she is aware of recent guidelines published by the State and that the Town has reported snow & ice expenditures in accordance with these guidelines. Ms. Gabree suggesting that Supt. Wetzel and the FinCom establish a Snow & Ice Deficit Policy to be included in the Town's Financial Policies.

See Financial Report dated 4-30-12 for other areas reported on by Giusti, Hingston and Company/Georgetown, MA

DPW (Mr. Luca recused himself from the discussion)

Appeal Request Water/Sewer Abatement-Marshall Trust 32 E. Main Street, Ayer, MA

Present for the discussion Mark Wetzel, DPW Supt. and David Belanger, Trustee for the Marshall Family Trust.

Supt Wetzel stated that neither he nor anyone in the Water Department ever stated they would "fight him all the way" re this bill. Supt. Wetzel advised that the property has a new meter which never tests high always tests low.

Mr. Belanger presented the Board his bills from 2004, indicating his usual bill ranges between \$280.00 and \$380.00

while the bill from 12-8-11 to 6-12-12 the bill totaled \$1,305.09, the bill from 6-7-12 to 12-6-12 totaled \$1,482.19 and as of today he has paid \$2,700.00 for the last 12 months while he usually pays \$700.00 for the same period. The Board asked if the meter has been tested. Supt. Wetzel offered to do so. The cost is \$50.00. The Board continued the matter until meter has been checked out by DPW. Mr. Luca returned to table.

Conservation Commission

Present for the discussion were Bill Daniels, Chairman, George Bacon, Jessica Gugino, Takashi Tada Conservation Commission Members.

RFQ Town of Ayer Comprehensive Pond Study

Mr. Daniels advised that the Conservation Commission received three (3) proposals: Aquatic Control Technology of Sutton, MA at \$18,255, GEOsyntech for \$31,944 and NEE \$41,175. The last RFQ was eight (8) years ago. Mr. Daniels that once awarded an article needs to be on the Town Meeting Warrant for funding. He is concerned it will not make the FTM in time and Commission looking at the Spring ATM in 2014. MS. Conley asked if the Dam & Pond Cmte had seen the RFQ. Supt. Wetzel joined the discussion and indicated he had not seen it yet. Mr. Daniels asked for clarification of the role of the Dam & Pond Com and Con-Com. MS. Conley explained she thought the two committees were working together on all matters relating to the pond and suggested they have a joint meeting to review the RFQ and prepare a summary for Selectmen's next meeting. Ms. Conley also asked if the RFQ was available electronically so that it could be put on Town's Website.

Kohler Place

Mr. Pontbriand advised that the Board received correspondence from the Cornellier Family regarding the purchase of 22-26 acres of land along Sandy Pond known as Kohler Place for the purpose of open space and conservation. Mr. Pontbriand advised that the CPC is interested in making this purchase. Ms. Conley declared the discussion in Open Session was exempted under Exemption #6 of the Open Meeting Law, specifically that "To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have detrimental effect on the negotiating position of the public body" (read into the record). Mr. Pontbriand requested the Board authorize the Town Administrator and Mr. Luca to negotiate a Purchase & Sale Agreement for the property for consideration at the Fall Town Meeting. Mr. Fay stated that an email reference to Exemption #6 on 8-22 by the Chairman was not appropriate. Mr. Daniels also disagreed, advising that ConCom met with CPC re this purchase on numerous occasions. Ms. Conley explained her position, stating she has no knowledge of communications of Board re this property. Board members disagreed, referring her to media reporting as far back as 2012. Ms. Gugino advised the Con-Com met with the CPC six (6) times re this property. Mr. Fay requesting the 8-22-13 email be recorded into minutes. Mr. Fay moved the Board authorize Mr. Luca and the Town Administrator to seek information re acquisition of Kohler Place, 2nd by Mr. Luca, VOTE: unanimous. Ms. Conley requested copies of the Con-Com minutes related to the meetings with the CPC be copied to the Board.

Town Administrator's Report

1. Building Department Staffing -Mr. Pontbriand advised Mr. Vellante was unable to be present this evening and referred Board to Mr. Vellante's memo of 8-20-13 relating to the Assistant Building Inspector. Mr. Fay moved to advertise for a part-time Asst. Building Inspector for three (3) days a week-six (6) hours a day for office coverage and field work per the AFSCME Contract, 2nd by Ms. Livingston, VOTE: unanimous.

2. Electrical Wiring Inspector Permit Fees-Mr. Pontbriand requested the Board's consideration of the Electrical Inspector's request for a change to a 60-40 split on permit fees to bring him into parity with Plumb/Gas Inspector and that the change be retroactive to July 2012 for a total back pay of \$2,686.11. Mr. Fay moved to approve the Electrical Inspector's retroactive 60-40 fee split retroactive to July 2012, no 2nd motion fails.

3. 10-28-13 Special Fall Town Meeting Warrant-Mr. Pontbriand reviewed the proposed articles for the FTM Warrant to date including a FinCom place holder for the financial policies, street acceptances, Kohler Place, APD Mutual Aid Agreement, Fire Station RFP, funding articles for street lights, pond RFQ, Town Hall Maintenance Fund for benches, roof, etc.

4. St. Mary's Lawn Party- Mr. Luca moved to approve Two (2) Day Beer & Wine License for St. Mary's Lawn Party, September 6 & 7 2013, from 5-9pm, 2nd by Ms. Livingston, VOTE: unanimous.

10:00p.m. Mr. Fay moved to extend their meeting for ten minutes, 2nd by Mr. Luca, VOTE: unanimous.

5. Employee Recognition Program- Mr. Pontbriand reviewed an Employee Recognition Program outlined in his 8-21-13 memo. The Board agreed to take this up at their 9-3-13 meeting.

6. Town Counsel's Review of Personnel Board appointments-Mr. Pontbriand reviewed Town Counsel's opinion the Board acted appropriately on its Personnel Board appointments of 8-6-13 and Bylaw terms of office. Mr. Luca rephrased his question and requested this be sent to Town Counsel.

7. Selectmen's Policy Procedures-Mr. Pontbriand presented the Public Input Policy #13-01 to the Board for inclusion in the Selectmen's Policies. Mr. Luca moved to approve the Public Input Policy #13-01, 2nd by Mr. Fay,

TOWN OF AYER SELECTMEN MEETING MINUTES
Thursday, September 3, 2013

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

Chairman Conley called the meeting to order at 7:10p.m. Advising to the Board of Selectmen's Open Session Meeting is video recorded by APAC. Present: Chairman-Pauline Conley, Gary J. Luca-Vice Chairman, Christopher Hillman-Clerk, James Fay-Member, Jannice Livingston-Member, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. .

Chairman Conley requested if there were any amendments to the Agenda of September 3, 2013. Mr. Fay called for reorganization of the Board-re an email violation by Chairman Conley, Town Administrator Robert Pontbriand requested the Board's permission to delete under his report bullet #5 - Town Counsel update advising to information did not come in re Personnel Board Appointment and requesting to reschedule for 9-17-13. Mr. Hillman re Zoning By-law re Political signs/signs in general.

Chairman Conley called for a motion to approve the Agenda. Mr. Fay moved the Board vote to approve the Agenda as amended, 2nd by Mr. Hillman. VOTE: Mr. Fay aye, Mr. Luca aye, Ms. Livingston aye, Mr. Hillman no, Chairman Conley no. 3-2 motion passes.

Minutes- 8-22-13 were set back for edits.

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

Mr. Fay opened the discussion re his request for the Board to re-organize questioning Ms. Conley's serving as Chairman re an email dated 8-22-13 sent by Ms. Conley to the Town Administrator and copied to both the Police Chief and Supt. Wetzel re a Park Street crosswalk that was before the Board recently and voted down by the Board, stating his reservation about her serving as Chair and breaking trust, going against the will of the Board. Chairman Conley justified the email as being a safety issue, witnessed by her, when she observed an elderly lady almost being struck by a tractor trailer as she crossed Park St. and sending the email to the Town Administrator would not be in violation of the Board's policies. (Chairman Conley read the email into the record) Mr. Luca stating his objection to the email not being sent to the rest of the Board given the volume of emails sent by her on a daily basis. Ms. Livingston finding the email disturbing and coming across wrong whereas the Board was in agreement to the need to remove some crosswalks and spending money on a temporary crosswalk is troubling when the Board agreed to wait and see the study. Mr. Pontbriand suggesting need for a policy re how the Board should send emails to each other and also emails that he receives, i.e. forward to each member of the Board or print out all the emails and place them in the Board's mailboxes as they are public record. Mr. Hillman took this opportunity to state his dismay wasting over an hour talking about emails and wishing to move on questioning how removing Chairman Conley would change the practice of the Board and helps the Town and/or is in the best interest of the Town. Mr. Pontbriand reviewed with the Board bringing in a consultant re working together and getting along, stating it is inherent issues of trust, code of conduct exists. This meeting to be open to all Town Departments, Boards and Commissions. The Board approved this recommendation to bring in a consultant and post meeting be open to all.

Town Administrator's Report-

1. Special Fall Town Meeting Warrant- Draft 1. Mr. Pontbriand announced the Citizens Petitions deadline on Friday, September 13, 2013 at 4:00p.m. Mr. Pontbriand also advised the Board to Town Counsel edits of warrant articles of Draft 1 to be available for the Board's review on 9-17-13 reminding the Board to the warrant remains a work in progress going through subsequent drafts/versions until finalized.

2. The Board reviewed each of the 15 Articles to date that will appear on the 10-28-13 Special Town Meeting Warrant:

Article 1- Stabilization Placeholder-put on warrant by Fin-Com

Article 2. Town Hall Maintenance Fund- Mr. Pontbriand advising to the Facilities Director putting together a list of projects for the Board's review.

Article 3. Downtown Street Lights-Mr. Wetzel, Supt of DPW, to meet with Board on 9-17-13 with plan and cost associated.

Article 4. Union Employee Compensation Study-Mr. Pontbriand advising to Fin-Com requesting this placeholder re study. Mr. Luca questioning how do you do a grid for Union employees i.e. comparable study. Mr. Pontbriand agreeing to difficulty and may need more time to investigate and the possibility it may not make this warrant.

Article 5. Comprehensive Pond Study-Con-Com presented RFQ at the Selectmen's 8-22-13 Meeting for Town Meeting acceptance.

Article 6. Fire Station RFP- Mr. Pontbriand advising to RFP having to be re-run due to clarification by Central Register re Bidding documentation i.e. disbursement of property, bids due 9-13-13 at 5pm

Article 7. Kohler Place-CPC-discussed with Board and Con-Com on 8-22-13 re the acquisition of open space and conservation land sale.

Article 8. Petition of Easy Street Acceptance- Mr. Pontbriand advised to Planning Board meeting on 8-8-13 to review/approve street pending Supt. Wetzels' review and approval. Mr. Pontbriand advising to Board "Laying out Road" at their meeting on 9-17-13.

Article 9. Crabtree Pumping Station-Mr. Pontbriand advised to pumping station failing and needing replacement.

Article 10. Mutual Aid-MGL Chapter 40, Section 8G requested by Police Chief and advising to Town passing in 1972 and Chief unable to locate original Agreement and requesting to have Town approve new agreement.

Article 11. Report on Collective Bargaining Agreements-recommended by Town Administrator in event CBA's are not finalized.

Articles 12-15 Placeholders re ratifying DPW. Fire, Patrolmen and Police Superior Union contracts.

Citizens Petitions-Mr. Pontbriand advising to having none to date.

Mr. Pontbriand advising to the possibility of having Old Groton Road article on warrant re possible combination of transfer of land/or sale and title issue/s involved.

Mr. Fay also requested the Board also consider adding Official Town Flag to the warrant.

Employee Recognition Program- Mr. Pontbriand reviewed with the Board the criteria for rewarding and/or recognizing employees who have performed above and beyond in their regular job requirements/duties. Selectman Livingston moved the Board approve an Employee Recognition Program to be awarded on a quarterly basis to an employee who goes above and beyond their required duties, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board to begin taking nominations on October 1, 2013.

Boston Post Cane-Mr. Pontbriand announced applications for the Town's Boston Post Cane "Golden Cane" for the Town's Oldest Resident are now on the Town's Website for residents.

Town Counsel-Personnel Board Opinion- Mr. Pontbriand updated the Board to Town Counsel opinion re Personnel Board question raised by Mr. Luca scheduled for 9-17-13 advising to earlier opinion from Town Counsel to Town By-laws trump Town Policies and would copy members of the Board to memorandum.

Economic Developer -Business Certificates-Mr. Pontbriand updated the Board to issues re updating, implementation and administration being a concern over the last few years. Mr. Hillman advising the Board to his requesting this issue being placed on the Agenda. Mr. Hillman stating Business Certificates need to be codified, enforced and administered. The proper record keeping/documentation and collection of fees are all required by law and no sense of urgency/priority taken by Town Clerk. Town Clerk doesn't want to do and his part falls on Economic Development Director. It is not fair to

businesses that pay their fee if others don't register should be ratifications. The Board voted to authorize the Town Administrator to direct the Economic Development Director and the Town Clerk to implement and administer the Business Certificate Program in concert and if Town Clerk does not comply to contact the Secretary of State's Office, motion made by Mr. Hillman 2nd by Ms. Livingston, VOTE: unanimous, so moved. The Board requested a status update to the Board and Fin-Com by 9-17-13 and establish deadline of October 1, 2013 for implementation and administration.

Job Description for Asst. Building Assistant- Mr. Pontbriand reviewed with the Board Mr. Vellante' Memo to the Board dated 8-20-13 re posting re part-time Building Inspector's position. Requesting the Board to define title advising to Mr. Vellante' not wanting to do property/zoning enforcement. Mr. Luca not wishing to limit position to just enforcement Town needs someone in office when he is not there. Chairman Conley suggesting swapping title in job description and also wishing to correct Building Inspector title in Job Description to state Building Commissioner.

Sign By-law Policy-Mr. Hillman again stating his concerns re political signs on rotary and need for Sign By-Law Policy- Mr. Pontbriand presented and reviewed with the Board his proposed draft amendment to the Zoning By-law (Article VI Special Provisions, Section 1 Signs and Billboards) adding a new Section J #4. Placement of Political Signs on Public Lands. (see attached). Mr. Pontbriand requested the Board review and advised to Town Counsel also reviewing for Board's Agenda on 9-17-13 as a potential Warrant Article for 10-28-13 Fall Town Meeting.

Board of Selectmen Policies and Procedures Review and Update- Mr. Pontbriand advising Board having both Policies from 1999 and 2001 in their packets- requesting Board to review and rescheduled discussion for 9-17-13.

Town Administrator's Policy Protocols Regarding Electronic Communications- Mr. Pontbriand reviewed with the Board their email communications which have created OML challenges re serial emails forwarded unintentionally creating violations. Mr. Pontbriand stated emails are a useful scheduling tool and also for transmitting updates. Mr. Pontbriand stated issues have arisen from Board members that he is not transmitting same information to each Board member and questioning if Board wishes to deactivate BCC Control? stating five (5) Board members and he are on this IT Account. Mr. Hillman stated he receives emails from residents and it is easy for them to contact him. Ms. Livingston stating this is getting absurd Board should pay attention to what they are doing-stop look at how you are responding. Mr. Pontbriand discussed different scenarios re problem areas that have occurred/could occur requesting the Board's decision on how he is to deal with and their expectations as to how he should handle going forward i.e. emails from Selectmen to Department Heads requesting they do a certain task, project etc. and not forwarding Town Administrator not acceptable, and in violation of the Board's Policies & Procedures, as well as Board members requesting each other's emails. Mr. Pontbriand advised the Board to Department Head Meeting scheduled this month and he will be bringing this issue forward. Mr. Pontbriand to implement immediately on all future emails to the Board a Header stating: FOR INFORMATIONAL PURPOSES ONLY NOT FOR DELIBERATION and footer PUBLIC RECORD DISCLOSURE to remind them of their responsibilities.

Selectmen's Questions/New Business-

Mr. Hillman-

1. Christmas Lights at Rotary-Mr. Hillman advising to bigger event sponsored by businesses and hoping to extend to Downtown area coordinating with DPW. Wishing to begin promoting Holiday Lights Campaign re monetary contributions for Christmas Lights correcting funding campaign logo to "Christmas Lights" from Holiday Lights.

2. Welcome to Ayer Sign for Rotary- requesting the Town place movable sign at Rotary not necessarily granite, but something that last 10-15 years.

Future Meetings-Mr. Pontbriand advised the Board to need for upcoming Meetings of the Board:

1. Meeting with Supt. Wetzel re update re projects to be scheduled
2. Hearings: Water/Sewer Rate, Tax Rate, Capital Plan proposing one night for all hearings 9-9-13.
3. 9/9/13 Executive Session -Property Enforcement Joint Mtg. with Board of Health

4. 9/10/13 Executive Session re Collective Bargaining & X6 Kohler Place
 5. 9-17-13 Meeting to review 2nd Draft of 10-28-13 Special Fall Town Meeting Warrant, Selectmen's Policies and Fin-Com review of 10-28-13 Warrant.
- 10:00p.m. Ms. Livingston moved to adjourn the meeting, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

_____ Date _____

Christopher R. Hillman, Clerk

FIRE CHIEF ROBERT PEDRAZZI
BOS Approval of FEMA Reimbursement Grant

- Fire Chief Pedrazzi will appear before the BOS seeking approval of a FEMA Reimbursement Grant in the amount of \$30,777.84 for reimbursement(s) for expenses incurred during the February 2013 blizzard (See Enclosed)

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office of Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under [Guidance For Vendors - Forms](#) or www.mass.gov/osc under [OSD Forms](#).

PW-00349

CONTRACTOR LEGAL NAME: Town of Ayer (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: CDA Massachusetts Emergency Management Agency MMARS Department Code: CDA	
Legal Address: (W-9, W-4,T&C): 1 West Main Street, Ayer, MA 01432		Business Mailing Address: 400 Worcester Road, Framingham, MA 01702	
Contract Manager: Mr. Robert Pontbrand		Billing Address (if different):	
E-Mail: ta@ayer.ma.us		Contract Manager: Paula Krumsiek, Contract Specialist	
Phone: 978-772-8210	Fax: 978-772-8230	E-Mail: Paula.Krumsiek@state.ma.us	
Contractor Vendor Code: VC6000191709		Phone: 508-820-1424	Fax: 508-820-1404
Vendor Code Address ID (e.g. "AD001"): AD__ (Note: The Address Id Must be set up for EFT payments.)		MMARS Doc ID(s): CTFEMA4110AYER000349	
		RFR/Procurement or Other ID Number: FEMA-4110-DR-MA February 2013 Blizzard	
<input checked="" type="checkbox"/> NEW CONTRACT		<input type="checkbox"/> CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input type="checkbox"/> <u>Department Procurement</u> (Includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach Employment Status Form, scope, budget) <input checked="" type="checkbox"/> <u>Legislative/ Legal or Other:</u> (Attach authorizing language/justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: ____, 20__. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/ Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)	
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$30,777.84			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days __% PPD; Payment issued within 15 days __% PPD; Payment issued within 20 days __% PPD; Payment issued within 30 days __% PPD. If PPD percentages are left blank, identify reason: __agree to standard 45 day cycle __ statutory/legal or Ready Payments (G.L. c. 29, § 23A); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) (Reference CFDA # 97.036) PW-00349 To reimburse for FEMA 4110 February 8-9, 2013 Blizzard – The applicant took such actions as necessary to save lives, protect public health and safety and protect improved property Townwide. Assistance for emergency protective measures and debris removal under Category A&B under the FEMA Public Assistance Program			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of ____, 20__, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input checked="" type="checkbox"/> 3. were incurred as of 2/8/2013, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of 12/31/2013, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: _____ Print Title: _____		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David Maher</u> Print Title: <u>Chief Fiscal Officer</u>	



Capture Date: 09/17/2013 11:44

**Federal Emergency Management Agency
Project Application Grant Report (P.2)**

Disaster: FEMA-4110-DR-MA

Number of Records: 1

**Applicant ID: 017-03005-00
Bundle #: PA-01-MA-4110-State-0021(20)**

Applicant: AYER (TOWN OF)

PW #	Cat	Cost Share	Projected Completion Date	Approved PW Amount (\$)
PA-01-MA-4110-PW-00349(0)	B	N	10-19-2013	41,037.12

Facility Number: 1

Facility Name: Town of Ayer

Location: Town Wide

The applicant took such actions as necessary to save lives, protect public health and safety, and protect improved property. The applicant's most critical needs began at 3:30PM on Feb. 8th and extended for an eligible period of 48 continuous hours until 3:30 PM on Feb. 10th. The applicant maintains 98.4 lane miles of roadway for snow and ice operations and multiple municipal properties. Eligible work performed for this 48 hour time period includes plowing snow from roads/maintained areas and spreading of salt and other abrasives on roads/maintained areas. All documentation was reviewed / verified and costs found reasonable by the FEMA Project Specialist assigned. (Eligible costs include force account overtime labor hours with benefits, all temporary or extra hire labor hours with benefits, all force account equipment hours, rented equipment charges, materials, reasonable contractual services and any Direct Administrative Costs).

Scope of Work:

1 PW	PWs (\$)	Subgrantee Admin Exp. (\$)	Total (\$)
Amount Eligible (\$)	41,037.12	0.00	41,037.12
Federal Share (\$)	30,777.84	0.00	30,777.84

PA-01-MA-4110-PW-00349(0) P	
Applicant Name: AYER (TOWN OF)	Application Title: AYEJHB1 snow
Period of Performance Start: 04-19-2013	Period of Performance End: 10-19-2013

Bundle Reference # (Amendment #) PA-01-MA-4110-State-0021(20)	Date Awarded 09-16-2013
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Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET						
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY	
FEMA	4110 - DR -MA	AYEJHB1	017-03005-00	07-01-2013	B	
APPLICANT: AYER (TOWN OF)				WORK COMPLETE AS OF: 07-01-2013 : 100 %		
Site 1 of 1						
DAMAGED FACILITY:			COUNTY: Middlesex			
Town of Ayer						
LOCATION:				LATITUDE:	LONGITUDE:	
PA-01-MA-4110-PW-00349(0): Town Wide				42.560256	-71.590197	
DAMAGE DESCRIPTION AND DIMENSIONS:						
PA-01-MA-4110-PW-00349(0): During the declared incident period of February 8th, 2013 through February 9th, 2013, the applicant's county had record or near record snowfall. It has been determined that it was beyond both local and state capabilities to adequately respond. Record or near record snowfall accompanied by icing conditions was deposited on public roads, Right of Ways, pedestrian walkways, parking lots, and other publicly maintained properties. Snow removal and spreading of salt and other abrasives were determined to be eligible emergency measures taken to save lives, protect public health and safety, and to protect improved property.						
SCOPE OF WORK:						
PA-01-MA-4110-PW-00349(0): The applicant took such actions as necessary to save lives, protect public health and safety, and protect improved property. The applicant's most critical needs began at 3:30PM on Feb. 8th and extended for an eligible period of 48 continuous hours until 3:30 PM on Feb. 10th. The applicant maintains 98.4 lane miles of roadway for snow and ice operations and multiple municipal properties. Eligible work performed for this 48 hour time period includes plowing snow from roads/maintained areas and spreading of salt and other abrasives on roads/maintained areas. All documentation was reviewed / verified and costs found reasonable by the FEMA Project Specialist assigned. (Eligible costs include force account overtime labor hours with benefits, all temporary or extra hire labor hours with benefits, all force account equipment hours, rented equipment charges, materials, reasonable contractual services and any Direct Administrative Costs).						
Does the Scope of Work change the pre-disaster						

conditions at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Special Considerations included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Is there insurance coverage on this facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
PROJECT COST					
ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	9007	LABOR	1/LS	\$ 17,378.07	\$ 17,378.07
2	9008	EQUIPMENT	1/LS	\$ 19,690.25	\$ 19,690.25
3	9009	MATERIALS	1/LS	\$ 3,968.80	\$ 3,968.80
				TOTAL COST	\$ 41,037.12
PREPARED BY JOHN HILLIER			TITLE Project Specialist	SIGNATURE	
APPLICANT REP. Robert Pedruzzi			TITLE Fire Chief	SIGNATURE	

MR. DAVID MAHER, DIR., DEPT. OF COMMUNITY/ ECONOMIC DEV.

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

Advocates Grant ** [MOVED TO 10/15/2013 BOS MEETING as of 9/27/2013]

TIF Agreement L3 Update (See Enclosed)

- Representatives from L3 will appear before the BOS to give a brief presentation of the current status of their TIF with the Town. The TIF Review Committee met with them on Sept. 26, 2013 and members of that Committee (Selectman Conley, the Town Administrator, Mr. Maher, and Mr. Kilcommins) will also update the BOS. Enclosed is a copy of L3's power-point presented to the TIF Review Committee. The TIF Review Committee will be meeting again on October 30, 2013 regarding this matter.

Business Certificates Update (See Enclosed)



L-3 ESSCO

September 26, 2013

TIF Committee Meeting
Town of Ayer

Presented by Gary Boyer

Table of Contents

- Basis for Tax Increment Financing Plan
- Payroll Information
- Facility Investment
- Local Spending
- Benefits to Community
- Premise for Continuation TIF
- Community Support

Basis for Tax Increment Financing Plan

- **Consolidated / Merged two locations into Ayer facility**
 - ❖ ESSCO located in Concord, MA
 - ❖ Wolf Coach located in Auburn, MA
- **Leased and renovated 216,010 square foot abandoned building**
 - ❖ 10 Year lease, (2) options to extend for 5 years
- **Increased value or “increment” created by improvements to property eligible for tax exemption**
- **Duration of TIF Plan is 20 years**

Payroll Information

- TIF Average salary \$50,000 (weekly \$962)
 - ❖ Current average salary \$70,764 (weekly \$1,361)
 - ❖ Ayer Town Average “All Industries” (weekly \$1,127)
 - ❖ Ayer Town Average “Manufacturing” (weekly \$1,279)
- TIF Total annual payroll \$13M @ 260 heads
 - ❖ Current annual payroll \$15.5M @ 220 heads

Despite setbacks in headcount, L-3 ESSCO in paying \$2.5M more annually to Ayer employees than projected

Facility Investment

- Total TIF Investment proposed \$12.5M
 - ❖ \$3.0M Leasehold Improvement
 - ❖ \$2.0M Machinery & Equipment
 - ❖ \$7.5M Future Investment

 - Total Actual Investment to Date \$10.3M
 - ❖ \$7.2M Actual Investment
 - ❖ \$1.4M in June 2012 *
 - ❖ \$1.7M Estimated Future Investment

 - Leasehold Improvements to date \$4.9M vs. \$3.0M (TIF) resulting in increased tax base

 - Future Plans to free up ~45,000 SF for use by another L-3 Division
 - ❖ Potential for additional investment & headcount
- * Renovated ~50,000 SF in June 2012 to accommodate another L-3 Division's relocation as well as upgraded Security and Telephone Systems using local contractors & supplies

Ayer Tax Increment Financing Plan

- Twenty (20) year TIF exemption, applies only on the new property tax revenue generated due to new investment. Percentage exemption on new property tax revenue over 20 years is as follows: (85-85-80-80-75-75-70-65-60-55-55-40-15-10-5-5-5-5-5)

- **TIF Estimated Tax Revenue to Ayer**
 - \$ 6,259,651 Estimated tax to Ayer over 20-year period
 - \$ 312,982 Annual Average

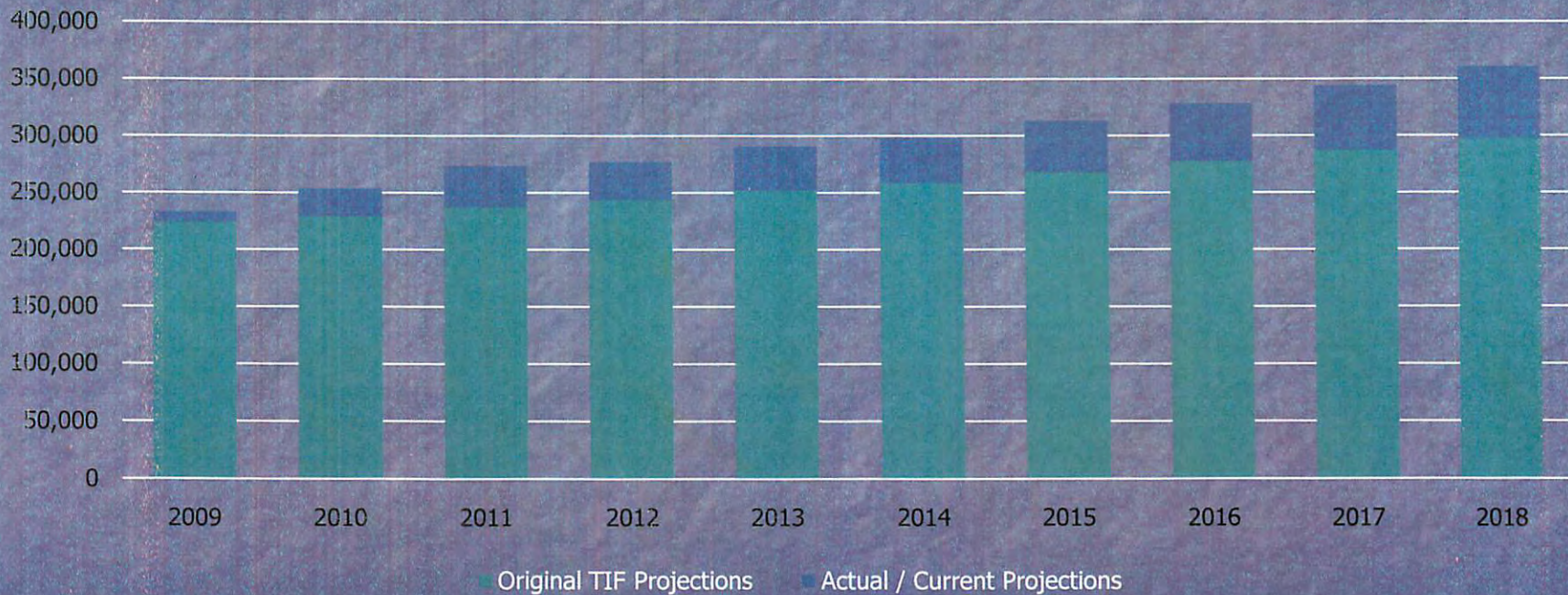
- **Current Actual / Estimated Tax Revenue to Ayer**
 - \$ 7,210,175 Estimated tax to Ayer over 20-year period
 - \$ 360,509 Annual Average

- **Additional Estimated Tax Revenue to Ayer**
 - \$ 950,523 New estimated tax revenue with TIF to Ayer over 20-year TIF period (new investment)

Projected TIF Tax Revenue

No Loss of Tax Revenue
Ayer would in fact generate new tax revenue

Tax Projections
Annual Estimated Taxes Projected from Project



Actual Tax Revenue

- TIF estimated taxes 1st five years \$1,184,618
- Actual taxes paid 1st five years \$1,329,230
- \$144,612 or \$28,900 per year additional taxes paid since inception of TIF
- Total projected taxes to be paid over project life vs. TIF projected taxes (over 20 year period)
 - ❖ **\$7.2M vs. 6.3M - increase of \$0.9M or Avg. of \$47K per year**

Local Spending Town of Ayer

	<u>2012</u>	<u>2013 Aug YTD</u>
Town Fees & Permits	\$27,420	\$10,880
Ayer Fire Department	\$330	\$325
Dept of Public Works	\$6,132	\$9,427
Local Ayer Vendors	\$71,853	\$57,313 *
Total	\$105,735	\$77,945

Annualized \$116,918

* Projected to increase in 2014 due to in sourcing crates for Radome shipment

Local Spending to Community (surrounding Towns) (Ayer, Groton, Littleton, Devens)

L-3 ESSCO and its employees spent approximately
\$1.0M last year with local establishments

Town Fees & Services	\$33,882	Hotel	\$270,000
Catering and Events	\$30,000	Restaurants	\$159,300
Convenience & Retail Stores	\$20,000	Gas	\$15,000
General Contractor Services	\$484,000	On-Site Food Services	\$10,000
		Total	\$1,022,182

Note: Over 2700 visitors to Ayer facility with half staying 2 days or more in local hotels and eating at local restaurants

L-3's Premise for continuation of TIF

- Employment – continue to sustain or add to base
- Average weekly payroll far exceeds TIF
- Continued investment in building resulting in increased tax base
- Local Spending / Community Support
- L-3 continuously rationalizing facilities, risk of relocation if cost prohibitive
- No loss of taxes – tax base increased due to investment in building
- Long Term Lease in place (2) 5 yr Options
- High Quality, High Value Property
- Ongoing viable Business as a Defense Contractor
- Preservation of TIF is required in order to be successful as a manufacturing business to sustain jobs and continued support for Town of Ayer and surrounding communities
- Continuation of TIF would promote the town as “business friendly” environment

Community Support

- Jim Pinard – Pinard's Landscape Contractors
- Calvin Moore – Moore Lumber & Hardware

Town of Ayer

Office of Community & Economic Development

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



TO: Robert Pontbriand, Town Administrator

FR: David Maher

RE: **Business Certificates**

DT: September 25, 2013

Mr. Pontbriand:

At your request, I solicited Ms. Cindy Knox and John Canney to discuss the Town's options for updating the status of the business certificates with a meeting.

This informal meeting took place on Wednesday September 18th at which time Ms. Knox and I had a met. Mr. Canney was unable to attend because he was short -handed due to a member of this staff being absent.

Ms. Knox and I did the following activities:

- 1) Ms. Knox would list on the website under the Planning and Development page and the Clerk's page the outline of the Mass General Law outlining where the Town gets the legislation to support this request for Business Certificates
- 2) I provided her with a list of businesses that Ms. Provencher and I established that listed the status of all the companies that we had access to. Ms. Knox is building a mail merge to be ready to send a notice or form out to the "certificate delinquent businesses" when it has been decided what will be our next steps in this process.
- 3) Outlined some ideas for crafting a letter to the Town's business community soliciting for updating all business certificates.

David Maher
Office of Economic Development

Date

Business Owner

Business Name

Business Address

Dear Mr./Mrs. _____?

The Town of Ayer is making you aware of its concerted effort to update all of its current and past business certificate filings. Per MGL Chapter 110, Section 5 “any person or persons conducting business under any title other than the complete real name or owner or any corporation doing business in a name other than the corporate name” must file a business certificate.

Many of our Ayer businesses currently have outdated or no business certificate at this time and with this communication the Office of Economic Development would like to give you the opportunity to conform to MGL Business Certificate Law that the Administration has adhered to since its ratification.

Currently the charge for an Ayer Business Certificate is \$20.00 and it would be in effect for 4 (four) years and must be renewed at the time of its expiration if the company is still in business.

Note that violations to the provisions of MGL, Chapter 110, Section 5 could be subject to **a fine of not more than three hundred dollars (\$300) for each month during which a violation would continue.** An outline of the General Law is enclosed as well as the business certificate form.

All delinquent companies are asked to submit their request for a new or renewal business certificate no later than December 27th, 2013 to begin their four year issuance.

If you have any questions pertaining to the enclosed material or business certificates in general please feel free to call the Ayer Office of Economic Development (978-772-8206) or the Ayer Town Clerk’s office (978-772-8215) and weekday between 9am and 5pm.

Sincerely,

Town of Ayer

Office of Community & Economic Development

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



TO: Robert Pontbriand
FR: David Maher
RE: Business Certificates
Cc:
DT: September 2, 2013



Robert:

Attached is the information that you requested that I gathered and presented to the Fin-Com a number of months ago (actually years).

Attached is an outline associated with "filing for a business certificate" and the recommendations I made at that time to the Fin-Com.

Also the business sheet that Sue and I worked on to establish at that time what businesses had or didn't have a business certificate, since we did this using 2011 information that would make the 2012 listing and the current 2013 listing delinquent within the next few months.

Let me know if there is anything else that I can provide to you before this evening's meeting pertaining to this agenda item that would be helpful to your discussion.

David Maher
Town of Ayer
Office of Community and Economic Development

Town of Ayer

Office of Community & Economic Development

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



Ayer Business Certificate Recommendation Office of Economic Development

Filing a Business Certificate MGL Chapter 110, Section 5

Who Must File?

Any person or persons conducting business under any title other than the complete real name or the owner or any corporation doing business in a name other than the corporate name

Where Does One File?

Said person would file with the Town or City's Town Clerk's office for that place the business is located

What if any changes are made?

Upon discontinuing, retiring or withdrawing from such business or if there is a change of residence of the business owner, any of these changes must be filed with the clerk's office

How long would the business certificate be in effect and does it expire?

Upon payment a certificate would be in effect for four (4) years from the date of issue and at expiration must be renewed for the business to continue to be in compliance with the Town's business certificate by-law.

Displaying the certificate?

The business certificate does not need to be displayed but must be provided upon request during regular business hours to any person purchasing goods or services from that business

Process of Filing

When a person is interested in starting a business there are a number of administrative entities that could direct them to the Clerk's office:

1. When opening a business account at a bank, the bank will request a business certificate at which time the client would contact the Clerk's office
2. Prior to receiving a certificate of occupancy and as a possible requirement to receive a C of O, the Building Official should remind the potential owner of the need to secure a business certificate
3. Where a business pertains to the Board of Health, within the administrative process the client could be reminded of their need to secure a business license
4. Anytime a prospective business owner approaches the Town's Office of Economic Development for any type of information that office would request and inform the business owner to the process of securing a license

New Business Filing

A business owner would request a business certificate form from the Clerk's office.

The Clerk's administrator would provide the business certificate form, examine that form with the client for any questions and direct them to speak with the Building Official to cross check their type of business for location and zoning, giving the office hours days and times of the Building Official. Upon completion of the certificate with a signoff from the Building Official, all persons involved and named on the certificate and needed to be present to sign the certificate, it would be certified.

Business Certificate Renewals

The Clerk's office would send out a renewal reminder to all businesses that are reaching their expiration date not less than thirty (30) days prior to the expiration.

Renewal businesses would be informed of their upcoming "expiration" date and also informed of the possible fine that could be levied, three hundred dollars (\$300) for each month during which violation of the renewal occurs.

Fees

Business Certificate Filing (includes one certified copy)	\$20.00
Withdrawals, Discontinuances, Changes (one certified copy)	\$ 5.00

All fees would be the same regardless of zoning type: industrial, commercial or retail

Background Information

Currently there are approximately 229 in town business without any business license

Currently there are approximately 29 businesses that expired at some month during 2011

Currently there are approximately 25 businesses that expire in 2012

Currently there are approximately 22 businesses that expire in 2013 and 28 in 2014

Recommendation

Currently there are more than 75% of the businesses in the Town of Ayer that do not possess a business license. The Clerk's office could consider a mailing that would start the renewals of all these businesses for July 1st which would follow the fiscal calendar of the Town. This would get the largest majority of the businesses on a four year cycle.

Continuing the process only 22 expirations would have to be mailed for renewal in 2013 and only 18 for 2014.

As new businesses are added they would become part of the mailing for the particular year that they submitted any application for the business license.

Businesses that look to apply with less than 30 days left to the fiscal year could be held to the next upcoming fiscal year to get the maximum amount of time allowed (4 years) for a certificate.

This Year
OR NO LICENSE

TOWN OF AYER
FISCAL YEAR 2011
BUSINESS LISTING - 243

DBA	Sino	Location	Owner	Add1	Add2	City	State	Zip	Area	Phone	Lic Exp	Exp Year	Years	No License?
31 MAIN STREET	31	MAIN ST	INGLE PCO INC	31 MAIN ST		AYER	MA	01432	978	772-2233			0	X
A + TUTORING CENTER	63	FITCHBURG RD	A + TUTORING CENTER	63 FITCHBURG RD		AYER	MA	01432	978	772-0003			0	X
A J MCGUANE LLC	15	MAIN ST	A J MCGUANE LLC	15 MAIN ST		AYER	MA	01432	978	772-6780			0	X
A M TRANSPORTATION SERVICES INC	20	CENTRAL AVE	A M TRANSPORTATION SERVICES INC	20 CENTRAL AVE		AYER	MA	01432	978	772-3800			0	X
A T & T CORP	0	AYER, MA	A T & T CORP	PROPERTY TAX UNIT	PO BOX 7207	BEDMINSTER	NJ	07821	978	000-0000			0	X
ABRAMOWITZ KRIS	24	COLUMBIA ST	ABRAMOWITZ KRIS	1 ORCHARD DRIVE		ACTON	MA	01720	978	772-7772			0	X
ACADEMY GLASS SERVICE INC	5	BISHOP RD	ACADEMY GLASS SERVICE INC	5 BISHOP RD		AYER	MA	01432	978	000-0000			0	X
ACCELERATED CARE PLUS	0	VARIOUS	ACCELERATED CARE PLUS	4850 JOULE ST	STE A1	RENO	NV	89502	978	000-0000			0	X
AD INFINITUM GRAPHIC DESIGN	104	EAST MAIN ST	DUPREY KATHLEEN	104 EAST MAIN ST		AYER	MA	01432	978	772-0710			0	X
ADVANCED VACUUM SYSTEMS INC	60	FITCHBURG RD	ADVANCED VACUUM SYSTEMS INC	60 FITCHBURG RD		AYER	MA	01432	978	772-6949			0	X
AGILITY INC	14	COPELAND DR	PLEXUS NPI PLUS N E	PO BOX 2700		NEENAH	WI	54957-2700	978	772-2401			0	X
AH GIN WONG'S CHINESE REST	210	WEST MAIN ST	HONG YUNG & ASSOCIATES INC	210 WEST MAIN ST		AYER	MA	01432	978	772-2401			0	X
ALLEN ASSOCIATES	179	WEST MAIN STREET				AYER	MA	01432	978	772-0500			0	X
APPLE COUNTRY REALTY INC	63	PARK ST	APPLE COUNTRY REALTY INC	63 PARK ST		AYER	MA	01432	978	772-1704			0	X
APPLE VALLEY NURSING & REHAB	400	GROTON RD	APPLE VALLEY CENTER LP	101 EAST STATE ST		KENNETT SQUARE	PA	19348	978	772-1704			0	X
ARAMARK MANAGEMENT SERVICES LP	0	VARIOUS	ARAMARK MANAGEMENT SERVICES LP	2300 WARRENVILLE RD	ATTN PROP TAX DEPT	DOWERS GROVE	IL	60515	978	000-0000			0	X
ARCHER'S MOBIL & CONVENIENCE	70	MAIN ST	GW INC	70 MAIN ST		AYER	MA	01432	978	772-4856			0	X
ATLANTIC FOREST PRODUCTS	1	SCULLEG RD	ATLANTIC FOREST PRODUCTS	240 W DICKMAN ST		BALTIMORE	MD	21230	978	000-0000			0	X
ATLAS COPCO	11	WILLOW RD	ATLAS COPCO	11 WILLOW RD		AYER	MA	01432	978	772-8200			0	X
AUTOTRONICS INC	81C	WESTFORD RD	AUTOTRONICS INC	81 C WESTFORD RD		AYER	MA	01432	978	000-0000			0	X
AYER AUTO PARTS	25	PARK ST	T & H ENTERPRISES INC	25 PARK ST		AYER	MA	01432	978	772-0403			0	X
AYER AUTO TRIM INC	76	EAST MAIN ST	AYER AUTO TRIM INC	76 EAST MAIN ST		AYER	MA	01432	978	772-6092			0	X
AYER AUTO WASH	19	FITCHBURG RD	ARVDSOON TRUST	19 FITCHBURG RD		AYER	MA	01432	978	772-0455			0	X
AYER KIDDIE DEPOT	33	SHIRLEY ST	BRADY-LATIMER JONIE	69 ENGLAND AVE		FITCHBURG	MA	01420	978	772-6844			0	X
AYER MOTOR INN	18	FITCHBURG RD	INDRA RAVI BHAKTA	18 FITCHBURG RD		AYER	MA	01432	978	772-0797			0	X
AYER MOVING & STORAGE CO INC	109	CENTRAL AVE	AYER MOVING & STORAGE CO INC	109 CENTRAL AVE		AYER	MA	01432	978	772-5558			0	X
AYER PACKAGE STORE	48	MAIN ST	AYER PACKAGE STORE INC	48 MAIN ST		AYER	MA	01432	978	772-3300			0	X
B M A / ASSOC ENVIRONMENTAL SYS	31	WILLOW RD	B M A INC	31 WILLOW RD		AYER	MA	01432	978	772-3310			0	X
BADGER FUNERAL HOME INC	44	EAST MAIN ST	BADGER FUNERAL HOME INC	PO BOX 146		LITTLETON	MA	01460	978	772-4033			0	X
BARBER SHOP	210	WEST MAIN ST	AIESI PAUL	210 WEST MAIN ST		AYER	MA	01432	978	772-9655			0	X
BILLIARDS CAFE	31-47	MAIN ST	PAGE MOORE CAFE INC	31-47 MAIN ST		AYER	MA	01432	978	772-7665			0	X
BLUE NORTH TRADING COMPANY	91	LITTLETON RD	BLUE NORTHERN TRADING COMPANY	91 LITTLETON RD		AYER	MA	01432	978	772-6779			0	X
BOGDASARIAN JOHN R DR	190	GROTON RD	BOGDASARIAN JOHN R DR	190 GROTON RD	#120	AYER	MA	01432	978	772-4113			0	X
BOSTON & MAINE CORPORATION	0	DEPOT SQ	BOSTON & MAINE CORPORATION	DEPOT SQ		AYER	MA	01432	978	772-3538			0	X
BOSTON GAS CO	0	AYER, MA	NATIONAL GRID	PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451-1120	781	907-2286			0	X
BOWMAR & LARKIN	15	WASHINGTON STREET	BOWMAR & LARKIN	15 WASHINGTON STREET		AYER	MA	01432	978	772-3688			0	X
BRESNAHAN PAUL D	15	MAIN ST	BRESNAHAN PAUL D	15 MAIN ST		AYER	MA	01432	978	772-5777			0	X
BROWN DDS, KEVIN	9	PLEASANT ST				AYER	MA	01432	978	339-1			0	X
BUBBLE IT LAUNDERAMAT	45	PARK ST	KLEEN IT INC	45 PARK ST		AYER	MA	01432	978	772-0652			0	X
BURNHAM TRANSPORT CORPORATION	91	GROTON HARVARD RD	BURNHAM TRANSPORT CORPORATION	91 GROTON HARVARD RD		AYER	MA	01432	978	772-9287			0	X
C P F INC	25	COPELAND DR	C P F INC	25 COPELAND DRIVE		AYER	MA	01432	978	772-6033			0	X
CAPACITEC INC	87	FITCHBURG RD	CAPACITEC INC	87 FITCHBURG RD		AYER	MA	01432	978	000-0000			0	X
CARGILL INC	0	NEMCO WAY	CARGILL INC	P O BOX 5626		MINNEAPOLIS	MN	55440	978	000-0000			0	X
CARLIN'S	7	DEPOT SQ	CARLIN'S RESTAURANT INC	7 DEPOT SQ		AYER	MA	01432	978	772-2317			0	X
CATANIA SPAGNA CORP	1	NEMCO WAY	CATANIA SPAGNA CORP	1 NEMCO WAY		AYER	MA	01432	978	772-2837			0	X
CAZA MANOR MOTEL INC	96	EAST MAIN ST	CAZA MANOR MOTEL INC	96 EAST MAIN ST		AYER	MA	01432	978	263-5683			0	X
CAZA MANOR MOTEL INC	12-14	PAGE ST	CAZA MANOR MOTEL INC	C/O BARRY GRATON	96E MAIN ST	AYER	MA	01432	978	772-4667			0	X
CENTRAL AVENUE AUTO REPAIR INC	39	CENTRAL AVE	CENTRAL AVENUE AUTO REPAIR INC	39 CENTRAL AVE		AYER	MA	01432	978	772-6300			0	X
CENTURY CARPET & CREATIVE FLOO	1	BLIGH ST	COULTU JEAN	43 MAIN ST		AYER	MA	01432	978	772-6300			0	X
CENTURY CARPET/CREATIVE FLOORS	43	MAIN ST	CENTURY CARPET/CREATIVE FLOORS	43 MAIN ST		AYER	MA	01432	978	772-9634			0	X
CERIC FABRICATION CO INC	70	NEMCO WAY	CERIC FABRICATION CO INC	70 NEMCO WAY		AYER	MA	01432	978	772-5213			0	X
CHUNG-GE	210	WEST MAIN ST	KYUNG ENTERPRISES INC	210 WEST MAIN ST		AYER	MA	01432	978	000-0000			0	X
COINSTAR	0	AYER, MA	COINSTAR	397 SOUTH TAYLOR AVE		LOUISVILLE	CO	80027	978	772-0688			0	X
COKE RICHARD J	88	CENTRAL AVE	COKE RICHARD	88 CENTRAL AVE		AYER	MA	01432	978	282-5018			0	X
COMCAST OF MA III, INC	0	AYER, MA	COMCAST OF MA III, INC	TAX DEPARTMENT	PO BOX 173638	DENVER	CO	802173638	978	772-0044			0	X
COMMONWEALTH PAVEMENT MTNCE	100	PARK ST	COMMONWEALTH PAVEMENT MTNCE	100 PARK ST	BAY 3	AYER	MA	01432	978	772-7588			0	X
CREATIVE KITCHENS	50	WEST MAIN ST	HARDEN KEVIN D	50 WEST MAIN ST		AYER	MA	01432	978	772-8711			0	X
CUMBERLAND FARMS #0016	60	PARK ST	CUMBERLAND FARMS INC	TAX DEPARTMENT.CFI	100 CROSSING BVLD	FRAMINGHAM	MA	01702-0000	978	772-7895			0	X
CUSTOM MEDICAL BILLING INC	50	WEST MAIN ST	CUSTOM MEDICAL BILLING INC	50 WEST MAIN ST		AYER	MA	01432	978	772-5078			0	X
CUTTING SPOT THE	179	WEST MAIN ST	PEREZ TERRI	179 WEST MAIN ST		AYER	MA	01432	978	772-6953			0	X
DANS PLACE	200	WEST MAIN ST	CMITARESE DANIEL	200 WEST MAIN ST		AYER	MA	01432	978	772-6232			0	X
DAVID E ROSS ASSOCIATES INC	111	FITCHBURG RD	DAVID E ROSS ASSOCIATES INC	P O BOX 368		AYER	MA	01432	978	772-2997			0	X
DEVENS PIZZA	210	WEST MAIN ST	DEVENS PIZZA	210 WEST MAIN ST		AYER	MA	01432	978	772-3596			0	X
DEVENS CREST APARTMENTS	35	LITTLETON RD	TOCCI L TRUST	35 LITTLETON RD		AYER	MA	01432	978	000-0000			0	X
DIRECT CAPITAL CORP	0	VARIOUS	DIRECT CAPITAL CORP	155 COMMERCE WAY		PORTSMOUTH	NH	03801	978	877-1908			0	X
DON'S AUTO SALES	9	BISHOP RD	BUCHKAS DONALD	9 BISHOP RD		AYER	MA	01432	978	772-7553			0	X
DUNKIN DONUTS	16	PARK ST	AY LIT LLC	PO BOX 312		ACCORD	MA	02018-312	978	772-4334			0	X
DUTCH'S AUTO GLASS	52	PARK ST	HOLLAND HORACE	52 PARK ST		AYER	MA	01432	978	772-2858			0	X
EASTERN RESTORATION	39	CENTRAL AVE	FARRAR FRED	39 CENTRAL AVE		AYER	MA	01432	978	000-0000			0	X
EASTMAN KODAK	0	VARIOUS	EASTMAN KODAK	ERNST & YOUNG	P O BOX 68964	INDIANAPOLIS	IN	46268	978	000-0000			0	X
EHWA MASONARY INC	81B	WESTFORD RD	EHWA MASONARY INC	81 B WESTFORD RD		AYER	MA	01432	978	772-2340			0	X
EPIC ENTERPRISES INC	11	COPELAND DR	EPIC ENTERPRISES INC	11 COPELAND DR		AYER	MA	01432	978	000-0000			0	X
EQ ACQUISITION	0	VARIOUS	EQ ACQUISITION	50 WASHINGTON ST		NORWALK	CT	06854	978	772-4101			0	X
ERA MORRISON REAL ESTATE LLC	19	MAIN ST	ERA MORRISON REAL ESTATE LLC	19 MAIN ST		AYER	MA	01432	978	772-7772			0	X
FILE A NAIL	15	FITCHBURG RD	GAUDET KATHY	15 FITCHBURG RD		AYER	MA	01432	978	862-0054			0	X
FITCHBURG PLUMBING SUPPLYS INC	28	HARVARD RD	FITCHBURG PLUMBING SUPPLYS INC	28 HARVARD RD		AYER	MA	01432	978				0	X

TOWN OF AYER
FISCAL YEAR 2011
BUSINESS LISTING

DBA	Sino	Location	Owner	Addr1	Addr2	City	State	Zip	Area	Phone	Lic Exp	Exp Year	Years	No License?
FLAGG WELDING INC	83	FITCHBURG RD	FLAGG WELDING INC	41 JACKSON ST		AYER	MA	01432	978	772-7701			0	X
FOX PACKAGING (SUPER CLEAN BRANDS)	95	FITCHBURG RD				AYER	MA	01432	978	772-6773			0	X
FRIOT WATER TREATMENT COMPANY	101	PARK ST	FRIOT CORPORATION	101 PARK ST		AYER	MA	01432	978	772-4010			0	X
G H ALLEN ASSOCIATES INC	179	WEST MAIN ST	G H ALLEN ASSOCIATES INC	179 WEST MAIN ST		AYER	MA	01432	978	772-0900			0	X
G V MOORE LUMBER COMPANY INC	22	WEST MAIN ST	G V MOORE LUMBER COMPANY INC	22 WEST MAIN ST		AYER	MA	01432	978	772-4858			0	X
G W ARCHER INC	85	CENTRAL AVE	G W ARCHER INC	PO BOX 311		LITTLETON	MA	01460-0311	978	000-0000			0	X
GAJA LEASING LLC	50	S 6TH ST	GAJA LEASING LLC	50 S 6TH ST	STE 1480	MINNEAPOLIS	MN	55402	978	000-0000			0	X
GARDNER REAL ESTATE REALTY TR	0	VARIOUS	SANDY POND REALTY TRUST	254 SALISBURY STREET		WORCSTER	MA	01609	508	791-7004			0	X
GERVAIS INC	5	LITTLETON RD	GERVAIS INC	5 LITTLETON RD		AYER	MA	01432	978	777-8600			0	X
GIAMO CONSTRUCTION CO INC	19	WESTFORD RD	GIAMO CONSTRUCTION CO INC	PO BOX 4100		WESTFORD	MA	01886	978	772-5025			0	X
GRAFAIX INC	21	PARK ST	GRAFAIX INC	21 PARK ST		AYER	MA	01432	978	772-7750			0	X
GRIFFEN JACK ELECTRICAL CNTRCT	72	WASHINGTON ST	GRIFFEN JACK	72 WASHINGTON ST		AYER	MA	01432	978	772-4422			0	X
HANNAFORDS #010	22	FITCHBURG RD	HANNAFORD BROTHERS INC	C/O DUFF PHELPS	PO BOX 260888	PLANO	TX	76026	978	772-3427			0	X
HARRY SCHWARTZ & SONS INC	20	SANDY POND RD	HARRY SCHWARTZ & SONS INC	20 SANDY POND RD		AYER	MA	01432	978	772-3484			0	X
HEADQUARTERS HAIR SALON LLC	8	CENTRAL AVE	JEWETT TAMMY	8 CENTRAL AVE		AYER	MA	01432	978	772-9707			0	X
HELD JONATHON	190	GROTON RD	HELD JONATHON	190 GROTON RD	SUITE 180	AYER	MA	01432	978	772-7221			0	X
HITEC PROCUDTS INC	100	PARK ST #12				AYER	MA	01432	978	000-0000			0	X
HOLOGIC LP	200	GROTON RD	HOLOGIC LP	250 CAMPUS DR		MARLBOROUGH	MA	01752	978	000-0000			0	X
HORIZON MILLING	0	NEMCO WAY	HORIZON MILLING	P O BOX 5626		MINNEAPOLIS	MN	55440-5626	978	772-6337			0	X
HORN PACKAGING CORP	11	WESTFORD RD	HORN PACKAGING CORP	11 WESTFORD RD		AYER	MA	01432	978	772-0290			0	X
IMPULSE MONITORING	0	VARIOUS	IMPULSE MONITORING	10420 LITTLE PATUXENT PKW	20 CORP STE 250	COLUMBIA	MD	21044	978	000-0000			0	X
INERGY PROPANE LP	0	VARIOUS	INERGY PROPANE LP	0 VARIOUS	STE 200 TAX DEPT	KANSAS CITY	MO	64112	978	000-0000			0	X
J C MADIGAN INC	8	SHAKER RD	J C MADIGAN INC	SHAKER RD		AYER	MA	01432	978	772-2067			0	X
J C MADIGAN INC	43	CENTRAL AVE	J C MADIGAN INC	43 CENTRAL AVE		AYER	MA	01432	978	772-7996			0	X
JACK O'LANTERN PACKAGE STORE	2	LITTLETON RD	JACK O'LANTERN OF AYER	2 LITTLETON RD		AYER	MA	01432	978	772-4753			0	X
JIFFY LUBE	38	PARK ST	JIFFY LUBE INTL	ATTN TAX DEPT	P O BOX 4369	HOUSTON	TX	77210	978	772-9040			0	X
JMO COLD STORAGE	2	WILLOW ST	JMO COLD STORAGE	2 WILLOW ST		AYER	MA	01432	978	000-000			0	X
JOHN E CAIN COMPANY INC	112	EAST MAIN ST	JOHN E CAIN COMPANY INC	112 EAST MAIN ST	PO BOX 347	AYER	MA	01432	978	772-0300			0	X
JOSEPH P SULLIVAN INC	60	BARNUM RD	JOSEPH P SULLIVAN INC	60 BARNUM RD		AYER	MA	01432	978	772-2382			0	X
JOSEPH P SULLIVAN INC	50	BARNUM RD	JOSEPH P SULLIVAN INC	PO BOX 449		AYER	MA	01432	978	370-2700			0	X
JOSEPHS PASTA CO	2	WILLOW ST	JOSEPHS PASTA CO	2 WILLOW ST		AYER	MA	01432	978	000-0000			0	X
K & W TIRE CO	6	WILLOW RD	K & W TIRE CO	6 WILLOW RD		AYER	MA	01432	978	000-0000			0	X
K T R PERFORMANCE LLC	99	FITCHBURG RD	K T R PERFORMANCE LLC	99 FITCHBURG RD		AYER	MA	01432	978	772-9911			0	X
KENTUCKY FRIED CHICKEN	4	SANDY POND RD	BRILEY INVESTMENTS INC	4 SANDY POND RD		AYER	MA	01432	978	772-9324			0	X
KEVIN BROWN	9	PLEASANT ST	SRCM LLC	9 PLEASANT ST		AYER	MA	01432	978	772-3747			0	X
KLEEN-IT INC	44	PARK ST	KLEEN-IT INC	44 PARK ST		AYER	MA	01432	978	772-3391			0	X
KMS PACKAGING & WAREHOUSING	0	MOLUMCO IND PARK	KMS PACKAGING & WAREHOUSING	0 MOLUMCO IND PARK		AYER	MA	01432	978	000-0000			0	X
LAW OFFICE OF THOMAS GIBBONS	42	WEST MAIN ST	THOMAS GIBBONS PC	42 WEST MAIN STREET		AYER	MA	01432	978	772-2284			0	X
LITTLE PACK RATS INC	50	BARNUM RD	LITTLE PACK RATS INC	315 LOST LAKE DR		GROTON	MA	01450	978	772-8111			0	X
LITTLETON LYNE LLC	125	LITTLETON RD	CROWNSHIELD MANAGEMENT	18 CROWNSHIELD STREET		PEABODY	MA	01960	978	772-3596			0	X
LORDEN OIL CO INC	89	FITCHBURG RD	LORDEN OIL CO INC	P O BOX 689		AYER	MA	01432	978	772-2000			0	X
M M M	179	WEST MAIN ST	FOX MICHELLE	179 WEST MAIN ST		AYER	MA	01432	978	772-0941			0	X
M W LEAHY COMPANY INC	21	WESTFORD RD	M W LEAHY COMPANY INC	21 WESTFORD RD		AYER	MA	01432	978	772-3113			0	X
MANGO GRILL INC	38	LITTLETON RD	MANGO GRILL INC	38 LITTLETON RD		AYER	MA	01432	978	772-4001			0	X
MARKHAM-PRIEST INSUR AGY INC	20	WASHINGTON ST	MARKHAM-PRIEST INSUR AGY INC	15 WASHINGTON ST		AYER	MA	01432	978	772-0800			0	X
MARY'S BEAUTY SALON	34	MAIN ST	ALEMU WALKER MARY LETTENSIE	34 MAIN ST		AYER	MA	01432	978	772-2214			0	X
MASSACHUSETTS ELECTRIC COMPANY	0	AYER, MA	NATIONAL GRID	PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451-2286	508	389-2902			0	X
MAXANT INDUSTRIES	28	HARVARD RD	MAXANT INDUSTRIES	28 HARVARD RD		AYER	MA	01432	978	772-0576			0	X
MCDONALDS CORPORATION	2	SANDY POND RD	MCDONALDS CORPORATION	2 SANDY POND RD		AYER	MA	01432	978	772-9626			0	X
MCQUANE LLC, A J	15	MAIN ST				AYER	MA	01432	978	000-0000			0	X
MCI COMMUNICATIONS SERVICES	0	AYER, MA	MCI COMMUNICATIONS SERVICES	PO BOX 152206	PROPERTY TAX DEPT	IRVING	TX	75015-2206	978	000-0000			0	X
MCIFF JIM	100	PARK ST	MCIFF JIM	PO BOX 924		LITTLETON	MA	01460	978	772-3313			0	X
MICROSTART KEG MGMT	0	VARIOUS	MICROSTART KEG MGMT	7400 E ORCHARD RD		GREENWOOD VILG	CO	80111	978	000-0000			0	X
MIDDLESEX GASTROENTEROLOGY PC	190	GROTON RD	MIDDLESEX GASTROENTEROLOGY PC	190 GROTON RD		AYER	MA	01432	978	772-3547			0	X
MILFORD TRANSPORTATION INC	25B	WESTFORD RD	MILFORD TRANSPORTATION INC	25 B WESTFORD RD		AYER	MA	01432	978	000-0000			0	X
MOTORSPORTS	100	PARK ST	WHITNEY CARL	100 PARK ST		AYER	MA	01432	978	772-9800			0	X
N E HYDRO-TRANS ELEC CO INC	0	AYER, MA	N E HYDRO-TRANS ELEC CO INC	C/O PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451-2286	508	389-2902			0	X
NASHOBA COURIER SERVICE	190	WEST MAIN ST	JONES THOMAS	200 WEST MAIN ST		AYER	MA	01432	978	772-4416			0	X
NASHOBA RESTAURANT INC	14	CENTRAL AVE	NASHOBA RESTAURANT INC	P O BOX 162		AYER	MA	01432	978	772-2736			0	X
NASHOBA SECURITY INDUSTRIES	31	CENTRAL AVE	NASHOBA SECURITY INDUSTRIES	31 CENTRAL AVE		AYER	MA	01432	978	578-0945			0	X
NASHOBA SURGICAL ASSOC INC	190	GROTON RD	NASHOBA SURGICAL ASSOC INC	190 GROTON RD	SUITE 210	AYER	MA	01432	978	772-6265			0	X
NASHOBA VALLEY EXPRESS CO INC	81	CENTRAL AVE	NASHOBA VALLEY EXPRESS CO INC	P O BOX 387		AYER	MA	01432	978	772-4080			0	X
NASHOBA VALLEY FITNESS CTR INC	83	CENTRAL AVE	NASHOBA VALLEY FITNESS CTR INC	83 CENTRAL AVE		AYER	MA	01432	978	772-3958			0	X
NASHOBA VALLEY MEDICAL CENTER	200	GROTON RD	NASHOBA VALLEY MEDICAL CENTER	PO BOX 99309		ATLANTA	GA	30359	770	454-9998			0	X
NEW ENGLAND POWER COMPANY	0	AYER, MA	NEW ENGLAND POWER COMPANY	PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451-2286	508	389-2902			0	X
NORTHEAST MUFFLER & BRAKE INC	100	PARK ST	NORTHEAST MUFFLER & BRAKE INC	100 PARK ST	UNIT 2	AYER	MA	01432	978	772-3772			0	X
NU KAR SALES	6	PARK ST	CHAPMAN MATTHEW	6 PARK ST		AYER	MA	01432	978	772-2919			0	X
OLD TOWNE VILLAGE APARTMENTS	10	OLD TOWNE RD	GROSSMAN COMPANIES INC THE	10 OLD TOWNE RD		AYER	MA	01432	978	772-3788			0	X
OPTOMETRICS U S A INC	8	NEMCO WAY	OPTOMETRICS U S A INC	8 NEMCO WAY		AYER	MA	01432	978	772-1700			0	X
ORION INDUSTRIES INC	1	ORION PARK DR	ORION INDUSTRIES INC	1 ORION PARK DR		AYER	MA	01432	978	772-6000			0	X
P & S REALTY TRUST	85-95	WILLARD ST	PASTORE ROBERT M	P & S REALTY TRUST	PO BX 812-082	WELLESLEY SQUAR	MA	2482	978	UNLISTED			0	X
P C M CONSTRUCTION CO INC	81	WESTFORD RD	P C M CONSTRUCTION CO INC	81 WESTFORD RD	UNIT D	AYER	MA	01432	978	772-7122			0	X
P N LAGGIS CO INC	67	MAIN ST	P N LAGGIS CO INC	67 MAIN ST		AYER	MA	01432	978	772-2819			0	X
PARK STREET GARAGE INC	7	BISHOP RD	PARK STREET GARAGE INC	7 BISHOP RD		AYER	MA	01432	978	772-7040			0	X
PARKER ELECTRICAL SERVICE	3	NORWOOD AVE	PARKER ELECTRICAL SERVICE	3 NORWOOD AVE		AYER	MA	01432	978	772-3440			0	X
PARTHENON HOUSE OF PIZZA	60	WEST MAIN ST	KEPENTZIS CHRISTOPHER	60 WEST MAIN ST		AYER	MA	01432	978	000-0000			0	X

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FISCAL YEAR 2011
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DEA	Sino	Location	Owner	Add1	Add2	City	State	Zip	Area	Phone	Lic Exp	Exp Year	Years	No License?
PARTRIDGES AUTO WORKS	42	LITTLETON RD	PARTRIDGE DONALD	42 LITTLETON RD		AYER	MA	01432	978	772-0183			0	X
PAULINE'S VARIETY	67.5	EAST MAIN ST	PAULINE'S VARIETY	67 1/2 EAST MAIN ST		AYER	MA	01432	978	772-0307			0	X
PHOTO SET	66	PARK ST	GTM TECHNOLOGIES INC	66 PARK ST		AYER	MA	01432	978	772-7788			0	X
PINARDS FLORIST & GARDEN CNTR	120	CENTRAL AVE	PINARDS LANDSCAPING INC	P O BOX 28		AYER	MA	01432	978	772-3883			0	X
PINARDS LANDSCAPING SUPPLY	173	WEST MAIN ST	PINARD'S LANDSCAPING SUPPLY	120 CENTRAL AVE		AYER	MA	01432	978	772-9690			0	X
PLASTIC ASSEMBLY / BLINKY PROD	0	MOLUMCO IND PARK	PLASTIC ASSEMBLY CORP	1 SCULLEY RD	BLDG B	AYER	MA	01432	978	772-4725			0	X
POLYONE DISTRIBUTION CO INC	91	FITCHBURG RD	POLYONE DISTRIBUTION CO INC	91 FITCHBURG RD		AYER	MA	01432	978	772-0784			0	X
PRIMARY CARE SPECIALISTS INC	190	GROTON RD	TERRENCE HACK MD PC	190 GROTON RD	SUITE 110 & 270	AYER	MA	01432	978	772-2780			0	X
PROTECH PROCESS PIPING LLC	60	WILLOW RD	PROTECH PROCESS PIPING LLC	60 WILLOW RD		AYER	MA	01432	978	772-7004			0	X
R & G CONSTRUCTION COMPANY	1	JONATHAN DR	GERACE RICHARD	1 JONATHAN DR		AYER	MA	01432	978	772-2982			0	X
R D KANNIARD CONSTRUCTN CO INC	34	BRYAN WAY	R D KANNIARD CONSTRUCTN CO INC	34 BRYAN WAY		AYER	MA	01432	978	000-0000			0	X
ROI RESIN DISTRIBUTION INC	0	MOLUMCO IND PARK	ROI RESIN DISTRIBUTION INC	0 MOLUMCO IND PARK		AYER	MA	01432	978	000-0000			0	X
RESIN DISTRIBUTION	1	SCULLEY ROAD				AYER	MA	01432	978	000-0000			0	X
RESOURCE ALLIANCE INC	0	MOLUMCO IND PARK	RESOURCE ALLIANCE INC	0 MOLUMCO IND PARK		AYER	MA	01432	978	000-0000			0	X
RESIN STAR EAST MARTIAL ARTS	0	DEPOT SQ	RISING STAR EAST MARTIAL ARTS	PO BOX 845		TOWNSEND	MA	01469	978	597-0524			0	X
ROCZYNKI PLUMBING & HEATING	1	BARNUM RD	ROCZYNKI PLUMBING & HEATING	1 BARNUM RD		AYER	MA	01432	978	952-6998			0	X
ROUTE 2A AUTO SALES INC	77	FITCHBURG RD	ROUTE 2A AUTO SALES INC	77 FITCHBURG RD		AYER	MA	01432	978	772-1696			0	X
ROUTHIER & SONS INC	15	WILLOW RD	ROUTHIER & SONS INC	256 AYER RD		LITTLETON	MA	01460	978	772-4251			0	X
ROUTHIER & SONS INC	15	WESTFORD RD	ROUTHIER & SONS INC	15 WESTFORD RD		AYER	MA	01432	978	000-0000			0	X
RUBBAIR DOOR COMPANY	100	GROTON-SHIRLEY RD	RUBBAIR DOOR INC	100 GROTON RD/SHIRLEY RD		AYER	MA	01432	978	772-0480			0	X
SANDY POND CONSULTING GROUP	75	SANDY POND RD	SANDY POND CONSULTING GROUP	75 SANDY POND RD STE #11	CANNONGATE CONDOS	AYER	MA	01432	978	772-0888			0	X
SEALED AIR HOLDINGS	100	WESTFORD RD	SHANKLIN CORP	100 WESTFORD RD		AYER	MA	01432	978	772-3200			0	X
SHAGBACK BUSINESS TRUST	63	FITCHBURG RD	SHAG TREE SERVICES INC	63 FITCHBURG RD		AYER	MA	01432	978	772-4928			0	X
SHAKER HILL GOLF CLUB	0	SHAKER RD	SHAKER HILL GOLF CLUB	145 SHAKER RD		HARVARD	MA	01451	978	772-0405			0	X
SILPRO MASONRY SYSTEMS INC	0	NEW ENGLAND WAY	SILPRO MASONRY SYSTEMS INC	NEW ENGLAND WAY		AYER	MA	01432	978	000-0000			0	X
SILVERIA GENERAL CONTRACTOR	7	SCULLEY RD	SILVERIA RICHARD	7 SCULLEY RD		AYER	MA	01432	978	486-0267			0	X
SPRINT COMMUNICATIONS CO LP	0	AYER, MA	SPRINT COMMUNICATIONS CO LP	PROPERTY TAX DEPARTMENT	P O BOX 12913	SHAWNEE MISSION	KS	66282-2913	978	000-0000			0	X
STARR MEDICAL MANAGEMENT INC	50	WEST MAIN ST	STARR MEDICAL MANAGEMENT INC	PO BOX 909		AYER	MA	01432	978	772-0901			0	X
STELLA'S FLORIST SHOP	210	WEST MAIN ST	HARRIS LAIED	210 WEST MAIN ST		AYER	MA	01432	978	772-8322			0	X
STEMSON'S	179	WEST MAIN ST	STEMS BY STEMSON INC	179 WEST MAIN ST	PO BOX 215	AYER	MA	01432	978	772-7510			0	X
STEVENS DEXTER CPA	59	MAIN ST	STEVENS DEXTER	59 MAIN ST		AYER	MA	01432	978	772-4485			0	X
STRAIN GAGE DEVELOPMENT LAB	100	PARK ST	HI-TEC PRODUCTS INC	P O BOX 790		AYER	MA	01432	978	772-6963			0	X
SUPER CLEAN BRANDS OF NE LLC	95	FITCHBURG RD	SUPER CLEAN BRANDS OF NE LLC	95 FITCHBURG RD		AYER	MA	01432	978	772-9882			0	X
SWIFTS LANDSCAPING INC	7	SCULLY RD	SWIFTS LANDSCAPING INC	7 SCULLY RD		AYER	MA	01432	978	758-8298			0	X
SYDLAR GEORGE DR DMD	190	GROTON RD	SYDLAR GEORGE	190 GROTON RD SUITE 260		AYER	MA	01432	978	772-2754			0	X
T & W FUNDING CO XII LLC	0	AYER, MA	FINOVA LOAN ADMIM	PO BOX 56369		SALT LAKE CITY	UT	841580369	801	401-3589			0	X
T J ANDERSON & SON FUNERAL HM	25	FITCHBURG RD	T J ANDERSON & SON FUNERAL HM	316 CLARENDON ST		FITCHBURG	MA	01420	978	772-2355			0	X
TAG HEATING & COOLING INC	20	CENTRAL AVE	TAG HEATING & COOLING INC	20 CENTRAL AVE		AYER	MA	01432	978	772-1118			0	X
TERRA INC	40	EAST MAIN ST	TERRA INC	40 EAST MAIN ST		AYER	MA	01432	978	772-3269			0	X
TIDAL WAVE CAR WASH INC	2	LITTLETON RD	TIDAL WAVE CAR WASH INC	PO BOX 385		HARVARD	MA	01451-0385	978	821-1496			0	X
TINY'S RESTAURANT	0	GROTON SCHOOL RD	TINY'S INC	2 GROTON SCHOOL RD		AYER	MA	01432	978	772-2917			0	X
TOREKU TRACTOR & EQUIP INC	4	LITTLETON RD	TOREKU TRACTOR & EQUIP INC	4 LITTLETON RD		AYER	MA	01432	978	772-6819			0	X
TURBO LUBE	21	FITCHBURG RD	ARWIDSON CLAYTON	21 FITCHBURG RD		AYER	MA	01432	978	772-4454			0	X
U-HAUL STORAGE	79	FITCHBURG RD	UHAUL	PO BOX 29046		PHEONIX	AZ	85038-	978	772-0111			0	X
VALLEY ORTHOPEDIC ASSOCIATES	160	GROTON RD	HARASIMOWICS PAUL DR	160 GROTON RD	SUITE 160	AYER	MA	01432	978	772-9846			0	X
VANZANDT CATHERINE	175	WEST MAIN ST	VANZANDT CATHERINE	P O BOX 156		AYER	MA	01432	978	000-0000			0	X
VERIZON	0	AYER, MA	VERIZON NEW ENGLAND INC	PROPERTY TAX DEPARTMENT	PO BOX 152206	IRVING	TX	75015-2206	978	000-0000			0	X
VERONA	18	PARK ST	TZINGOS PHOTOS	18 PARK ST		AYER	MA	01432	978	772-2444			0	X
VEROXITY TECHNOLOGY	0	VARIOUS	VEROXITY TECHNOLOGY	ATTN SANTA MARIA	1100 CROSBY DRIVE-#311	BEDFORD	MA	01730-0000	978	000-0000			0	X
VINEYARD THE	63	PARK ST	AYER VINEYARD LTD	63 PARK ST		AYER	MA	01432	978	772-0696			0	X
VITASOY USA INC	1	NEW ENGLAND WAY	VITASOY USA INC	1 NEW ENGLAND WAY		AYER	MA	01432	978	772-6880			0	X
W E AUBUCHON HARDWARE CO INC	61	PARK ST	W E AUBUCHON HARDWARE CO INC	95 AUBUCHON DR		WESTMINSTER	MA	01473	978	772-3100			0	X
WALCH STEVEN	38	JACKSON ST	WALCH STEVEN	P O BOX 310		LINCOLN	MA	01773	978	000-0000			0	X
WENDY'S #861103	2	BARNUM RD	WENDY'S JARBY'S GROUP	1155 PERIMETER CENTER WES	ATTN: TAX DEPT	ATLANTA	GA	30338-	978	772-4556			0	X
WNUK BUILT	100	PARK ST	WNUK JOHN	P.O. BOX 262		AYER	MA	01432	978	273-8323			0	X
WOK N ROLL	49	PARK ST	LJ CAIBING	49 PARK ST		AYER	MA	01432	978	772-4526			0	X
WOO JUNG RESTAURANT	174	WEST MAIN ST	KIM JUNG	174 WEST MAIN ST		AYER	MA	01432	978	772-5742			0	X
WOORI MARKET	1	MILL STREET	SON SOK SOON	1MILL STREET		AYER	MA	01432	978	772-1772			0	X
WRIGHTWAY HEATING & COOLING	60	WILLOW RD	WRIGHTWAY HEATING & COOLING	60 WILLOW RD		AYER	MA	01432	978	772-7575			0	X
WYMAN'S APTS	45	EAST MAIN ST	WYMAN JAMES	34 FAIRVIEW AVENUE		GROTON	MA	01450	978	897-7068			0	X
ZODIAC APARTMENTS	75	GROTON SCHOOL RD	HEMINGWAY TRUST	75 GROTON SCHOOL RD		AYER	MA	01432	978	772-7000			0	X
ACHILLES IRON & STEEL	26	HARVARD RD	WILLIAMS ROBERT	26 HARVARD RD		AYER	MA	01432	978	772-9998	9/26/2011	2011	0	
AYER BEAUTY SALON	210	WEST MAIN ST	LINDQUIST POKIL	210 WEST MAIN ST		AYER	MA	01432	978	772-6555			0	
BARNRAISERS INC.	54	GROTON HARVARD RD				AYER	MA	01432	978		4/30/2011	2011	0	
BEAD HIM THE	14	MAIN ST	WRIGHT CYNTHIA	14 MAIN ST		AYER	MA	01432	978	772-8388	6/14/2011	2011	0	
BECK DESIGN	96	PLEASANT ST				AYER	MA	01432	978		11/30/2011	2011	0	
C & M LYNCH DBA AYER KAB	328	MAIN ST				AYER	MA	01432	978		10/10/2011	2011	0	
CHECKERED FLAG AUTO SUPPLY INC	103	PARK ST	CHECKERED FLAG AUTO SUPPLY INC	103 PARK ST		AYER	MA	01432	978	772-2315	4/8/2011	2011	0	
CHOJNACKI CON	33	FLETCHER STREET				AYER	MA	01432	978		4/10/2011	2011	0	
CONCORD ASSOCIATES	323	WEST MAIN ST				AYER	MA	01432	978		3/18/2011	2011	0	
CURLY SUE'S SALON	50	WEST MAIN ST	BRODEUR SUSAN	50 WEST MAIN ST		AYER	MA	01432	978	772-3814	7/20/2011	2011	0	
D C SMITHWICKS	19	LAWTON STREET				AYER	MA	01432	978		6/27/2011	2011	0	
E R O HOME IMPROVEMENTS	19D	BATES STREET				AYER	MA	01432	978		12/4/2011	2011	0	
GIRL FANS, LLC	19	LAWTON STREET				AYER	MA	01432	978		11/27/2011	2011	0	
GRADY RESEARCH	323	WEST MAIN ST				AYER	MA	01432	978		3/18/2011	2011	0	
GREENE REALTY GROUP, THE	3	PARK ST				AYER	MA	01432	978		10/30/2011	2011	0	

expiries in 2012

TOWN OF AYER
FISCAL YEAR 2011
BUSINESS LISTING

DBA	Sino	Location	Owner	Add1	Add2	City	State	Zip	Area	Phone	Lic Exp	Exp Year	Years
1ST CHOICE REALTY	5	PEARL STREET				AYER	MA	01432			5/1/2012	2012	1
ABOUT TOWN TRANSPORTATION	39	MAIN ST				AYER	MA	01432			5/1/2012	2012	1
ALDEN CONSULTING	61A	GROTON SCHOOL RD				AYER	MA	01432			6/30/2012	2012	1
AUCLAIR MECHANICAL SOLUTIONS	31	WILLOW ROAD				AYER	MA	01432			5/1/2012	2012	1
BID SARGES SURPLUS SPOT	30	MAIN ST				AYER	MA	01432			9/23/2012	2012	1
BOUDREAU & SONS PLUMBING, G.M.	44	GROTON SHIRLEY RD.				AYER	MA	01432			5/14/2012	2012	1
HCD CLEANING SERVICE	12	PEARL STREET 1ST FL				AYER	MA	01432			4/8/2012	2012	1
IMEC INC / DBA SYSTEMS H2O INC	11	WILLOW ST				AYER	MA	01432			11/25/2012	2012	1
INSIGHT LANDSCAPE	55	LITTLETON RD #9B				AYER	MA	01432			8/6/2012	2012	1
JAMMING WITH THE ANGELS	4B	SAMANTHA LANE				AYER	MA	01432			7/9/2012	2012	1
KELLIE AT HEADS UP	15	FITCHBURG RD				AYER	MA	01432			5/5/2012	2012	1
L & N RECOVERY SERVICES		PO BOX 841				AYER	MA	01432			7/11/2012	2012	1
LEE-SU.COM	14	GROTON ST. #7				AYER	MA	01432			9/11/2012	2012	1
MASTER CONSTRUCTION	55	LITTLETON RD #21E				AYER	MA	01432			4/18/2012	2012	1
METICULOUS CLEANING SERVICES	83	EAST MAIN ST				AYER	MA	01432			3/25/2012	2012	1
MR MIKE'S CITGO	27	HARVARD RD	ALLIANCE ENERGY LLC	36 EAST INDUSTRIAL ROAD		BRANFORD	CT	06405-0000	978	772-2923	5/22/2012	2012	1
NASHOBA TRAILER & EQUIPMENT	8	BRYAN WAY				AYER	MA	01432			2/12/2012	2012	1
PAMPERED PETS	40	MAIN ST	WILBER CHERYL	40 MAIN ST		AYER	MA	01432	978	772-5833	10/17/2012	2012	1
PHOTO OP PHOTOGRAPHY	210	WEST MAIN STREET				AYER	MA	01432			3/6/2012	2012	1
PITSTOP BARBERSHOP	2	LITTLETON ROAD				AYER	MA	01432			5/21/2012	2012	1
POOR LITTLE RICH FERRET.COM	14	GROTON STREET				AYER	MA	01432			9/11/2012	2012	1
REMEMBER MAIN ST. CARDS INC	61	MAIN ST	STEPHEN WENTZEL	61 MAIN ST		AYER	MA	01432	978	772-2571	7/29/2012	2012	1
RSG TRADING SOLUTIONS LLC	55	LITTLETON RD #22C				AYER	MA	01432			11/6/2012	2012	1
TECHNICAL PRODUCTS INC	31	WILLOW ROAD				AYER	MA	01432			5/28/2012	2012	1
UNDER FOOT INSTALLATION	2	PEARL STREET				AYER	MA	01432			1/19/2012	2012	1

expires in 2013

TOWN OF AYER
FISCAL YEAR 2011
BUSINESS LISTING

DBA	Stno	Location	Owner	Add1	Add2	City	State	Zip	Area	Phone	Lic Exp	Exp Year	Years
ABOUT TOWN LIVERY	2	LITTLETON RD				AYER	MA	01432			8/4/2013	2013	2
ALL AMERICAN RECYCLING LLC	1	SCULLEY RD #A				AYER	MA	01432			12/8/2013	2013	2
AYER ANIMAL MEDICAL CENTER	196	WEST MAIN ST	TRENHOLM KATHRYN	196 WEST MAIN ST		AYER	MA	01432	978	772-4413	9/29/2013	2013	2
AYER OPTICAL SHOP	35	MAIN ST	ROBICHAUD FREDERICK	35 MAIN ST		AYER	MA	01432	978	772-9623	11/18/2013	2013	2
BEL ESPRIT SALON	12	MAIN ST	COVTER BATHERINE & HOULE M	12 MAIN ST		AYER	MA	01432			5/22/2013	2013	2
BELLYFIRE	32	WESTFORD RD				AYER	MA	01432			10/7/2013	2013	2
BIRCHWOOD BUILDERS	84	EAST MAIN ST				AYER	MA	01432			1/2/2013	2013	2
C. R. PIERCE	30	MAIN ST				AYER	MA	01432	978	772-7515	1/29/2013	2013	2
DEBBIE'S STAFFING	50	WEST MAIN ST	DEBBIE'S STAFFING	50 WEST MAIN ST		AYER	MA	01432			5/26/2013	2013	2
HAPPY DOG SITTING	38	CENTRAL AVENUE				AYER	MA	01432			7/24/2013	2013	2
HEART'S HOME DOG TRAINING	24	WASHINGTON ST				AYER	MA	01432			2/27/2013	2013	2
HONEY DO LIST GUY, THE	23	SANDY POND RD #1				AYER	MA	01432	978	000-0000	12/3/2013	2013	2
JOHN'S BARBER SHOP	46	MAIN ST	SINGALKIS GEORGE	46 MAIN ST		AYER	MA	01432	978	772-0826	2/13/2013	2013	2
MAC'S WELDING	11	BROOK ST	MCPARTLAN DAVID	11 BROOK ST		AYER	MA	01432			7/17/2013	2013	2
NASHOBA VALLY MASSAGE	6	CHURCH ST				AYER	MA	01432			4/9/2013	2013	2
ROBERTS DECOR & GIFTS	123.5	WEST MAIN ST #9				AYER	MA	01432			10/1/2013	2013	2
ROUTHIER & SONS' B. C.	82	GROTON SCHOOL RD				AYER	MA	01464	978	772-2218	5/6/2013	2013	2
SHIRLEY UPHOLSTERING & FURNITR	131	LITTLETON RD	BELANGER, JOANNA	9 RODMAN AVENUE		AYER	MA	01432			5/6/2013	2013	2
SIGNER, THE	11	BROOK ST				AYER	MA	01432	978	772-5522	5/4/2013	2013	2
STANDARD ELECTRIC SUPPLY CO	123A	CENTRAL AVE	STANDARD ELECTRIC SUPPLY CO	123 A CENTRAL AVE		AYER	MA	01432			8/25/2013	2013	2
SUSEWEN	20	GROTON SCHOOL RD				AYER	MA	01432	978	772-7709	8/11/2013	2013	2
TERRANOVA AUTOBODY INC	40	LITTLETON RD	TERRANOVA AUTOBODY INC	40 LITTLETON RD		AYER	MA	01432					2

expires in 2014

TOWN OF AYER
FISCAL YEAR 2011
BUSINESS LISTING

DBA	Sino	Location	Owner	Add1	Add2	City	State	Zip	Area	Phone	Lic Exp	Exp Year	Years
2 GUYS REMODELING	50	GROTON SCHOOL RD				AYER	MA	01432			5/20/2014	2014	3
BRAVO CLEANING SERVICE	98	PLEASANT ST				AYER	MA	01432			3/10/2014	2014	3
C & J PHOTOGRAPHY	25	ROBBINS ROAD				AYER	MA	01432			10/27/2014	2014	3
CAINS	114	EAST MAIN ST				AYER	MA	01432			1/6/2014	2014	3
CATES SUSTAINABLE BLDG & DESIGN	122	WEST MAIN ST				AYER	MA	01432	978	772-0682	7/22/2014	2014	3
CENTRAL COLLISION CENTER	121	CENTRAL AVE	VEHICLES UNLIMITED INC	121 CENTRAL AVE		AYER	MA	01432			9/15/2014	2014	3
CHS LANDSCAPING	7	GROTON SCHOOL RD				AYER	MA	01432			7/27/2014	2014	3
COLOR BAR SALON	12	MAIN ST				AYER	MA	01432			4/20/2014	2014	3
CREATIVELY RACHEL	44	MAIN ST				AYER	MA	01432	978	772-1798	8/26/2014	2014	3
CRIMSON NEEDLE THE	32A	MAIN ST	HARD SARAH	32 A MAIN ST		AYER	MA	01432			8/2/2014	2014	3
DENNIS WHITE PLUMBING & HEATING	23	CENTRAL AVE				AYER	MA	01432	978	772-2588	4/21/2014	2014	3
DIAMOND NAILS DESIGN	60B	WEST MAIN ST	PHAN NUONG	60 B WEST MAIN ST		AYER	MA	01432			1/29/2014	2014	3
DONELL APPRAISALS, D.	42	WRIGHT ROAD				AYER	MA	01432			3/17/2014	2014	3
EPHATHA ORGANIZATION LLC	121	LITTLETON RD #13				AYER	MA	01432			7/26/2014	2014	3
EVA'S BARBER SHOP	1	BARNUM RD	EVA'S BARBER SHOP	1 BARNUM RD		AYER	MA	01432	978	772-2585	10/5/2014	2014	3
FINE BALANCE BODYWORKS	6	MULBERRY CIRCLE				AYER	MA	01432			8/30/2014	2014	3
FRESH AYER PRODUCTIONS	3	PARK ST				AYER	MA	01432	978	772-5422	11/10/2014	2014	3
HYBRICON	12	WILLOW RD	HYBRICON	12 WILLOW RD		AYER	MA	01432			6/28/2014	2014	3
INTERNATIONAL MULTIPURPOSE CO.	7	CHURCH ST. #2				AYER	MA	01432	978	772-3133	3/10/2014	2014	3
K D NAILS	41	MAIN ST	TRAN NGOC	41 MAIN ST		AYER	MA	01432			10/19/2014	2014	3
KELMAN HILL PROPERTIES INC.	31	CENTRAL AVE				AYER	MA	01432			9/29/2014	2014	3
KILLER B DISC GOLF	210	WEST MAIN ST #9				AYER	MA	01432			11/24/2014	2014	3
LEAHY CO INC, M/W	21	WESTFORD RD				AYER	MA	01432			4/14/2014	2014	3
MCCONNELL TECH SUPPORT, JIM	8	NASHUA STREET				AYER	MA	01432	978	772-3277	8/18/2014	2014	3
MY MECHANIC	100	PARK ST	FAUCHER STEVEN	100 PARK ST	UNITS 7 & 8	AYER	MA	01432			5/5/2014	2014	3
NASHOBA VALLEY PLASTERING	10	GROSVENOR ST				AYER	MA	01432			3/2/2014	2014	3
PAP ROBS TATTOO EMPORIUM LLC	82	PARK ST				AYER	MA	01432			9/24/2014	2014	3
PHOTOGRAPHY BY JENNIFER MILLIAN	121	SANDY POND ROAD				AYER	MA	01432			10/20/2014	2014	3
PKS PATEL INC DBA SUBWAY	63	MAIN ST				AYER	MA	01432			12/1/2014	2014	3
ROGERS CONSTRUCTION, ANTHONY B.	107	EAST MAIN ST				AYER	MA	01432			10/17/2014	2014	3
SEELEY AUTOMOTIVE SERVICES	100	PARK ST #1				AYER	MA	01432	978	772-1717	6/1/2014	2014	3
STUDIO 44	44	MAIN ST	STANCOMBE SARA J	44 MAIN ST		AYER	MA	01432			7/15/2014	2014	3
T J MOTORS	217	WEST MAIN STREET				AYER	MA	01432			2/5/2014	2014	3
TIGER BRAZILLIAN STORE	16	MAIN ST				AYER	MA	01432			3/12/2014	2014	3
TOP DOG BAT CO	5	WHITCOMB AVE				AYER	MA	01432			3/25/2014	2014	3
TOP O THE HILL FARM	199	OLD GROTON RD				AYER	MA	01432			10/4/2014	2014	3
TRAFFIC CIRCLE LIQUORS	2	LITTLETON ROAD				AYER	MA	01432			8/20/2014	2014	3
VICTORIAN FAITH SERVICE	161	OLD WEST MAIN ST				AYER	MA	01432			6/10/2014	2014	3
WHOLESOME CAFE & BOOKSTORE, THE	25	MAIN ST				AYER	MA	01432			6/4/2014	2014	3

MS. CINDY KNOX, I.T. SYSTEMS ADMINISTRATOR
Proposed Policy for I.T. Hardware/Software Acquisition

- Ms. Knox will appear before the BOS regarding the proposed DRAFT policy for I.T. Hardware/Software Acquisition which was unanimously recommended by the I.T. Committee. (See Enclosed)



****PROPOSED DRAFT (8-28-2013)****

Town of Ayer

Information Technology Acquisition Policy

Purpose:

The purpose of the Town of Ayer's Information Technology Acquisition Policy is to facilitate and ensure that all Town Departments are acquiring, purchasing, procuring, operating, and disposing of all information technology hardware and software in a legal, efficient, secure, eco-friendly, and financially responsible manner with the goal of maximizing the taxpayers' funding of all Town information technology.

Scope of Policy:

The Town of Ayer Information Technology Acquisition Policy covers all Boards, Commissions, Committees, Departments, Elected Officials and Employees of the Town of Ayer. The Information Technology Acquisition Policy does not supersede and/or substitute any pertinent Federal and/or State Law.

Exempt from Policy:

Due to the unique legal and security requirements of the Ayer Police Department, the Ayer Police Department is exempt from the Information Technology Acquisition Policy.

Administration of the Information Technology Acquisition Policy:

The I.T. Systems Administrator under the direction of the Town Administrator is ultimately responsible for the administration and implementation of the Information Technology Acquisition Policy.

The Information Technology Acquisition Policy may be amended by the Ayer Board of Selectmen upon recommendation by the Town Administrator in consultation with the Town's I.T. Systems Administrator and/or I.T. Committee.

Definition of Information Technology:

For the purposes of this policy, Information Technology (I.T.) includes but is not limited to the following:

- **I.T. Hardware to include (but not limited to):** CPUs; Monitors; Printers; Scanners; Faxes; Laptops; I-Pads; I-Phones; Mice; Keyboards; Projectors; Servers; Tablets; Flash drives; external hard drives and other data storage devices; and/or other devices.

- **I.T. Software to include (but not limited to):** Operating System Software; Anti-virus Software; Security Software; Programs; Web-Site Software; FB Software; and/or other software.

Acquisition of I.T. Hardware and/or Software:

The acquisition of all I.T. Hardware and/or Software by any Town entity covered under the Scope of this policy shall be in accordance with MGL Chapter 30B (State Purchasing/Procurement Law) and/or Sound Business Practices.

Any and all I.T. Hardware and/or Software acquisitions must first be requested in consultation with the I.T. Systems Administrator. The I.T. Systems Administrator has the authority to approve/revise/decline any I.T. Hardware and/or Software acquisition which is not in the best interests of the Town of Ayer.

Any and all I.T. Hardware and/or Software acquisitions must be signed off on by the I.T. Systems Administrator and the Town Administrator PRIOR to submission to the Town's Accounting Office.

No I.T. Hardware and/or Software acquisitions will be processed by the Town's Accounting Office until proper authorization from the I.T. Systems Administrator and Town Administrator.

Upon acquisition of any and all I.T. Hardware and/or Software, the I.T. Systems Administrator is authorized to ensure the proper installation and use of said hardware and/or software.

Any and all I.T. Hardware and/or Software acquired by the Town of Ayer are the sole property of the Town of Ayer. Each respective Town user is required to use the I.T. Hardware and/or Software for Town purposes only and in accordance with the manufacturer's specifications and uses.

Enforcement:

Any and all I.T. Hardware and/or Software acquired without adhering to this policy will be deemed invalid and will be sent back with all return fees; shipping fees; and/or restocking fees charged to the offending entity (Department; Board; Commission; Committee, etc.)

Disposal of all I.T. Hardware and/or Software:

The disposal of any and all I.T. Hardware and/or Software shall follow MGL Chapter 30B. Any disposals must be submitted in writing to the I.T. Systems Administrator for review and authorization. The Town Administrator (Procurement Officer) must also review and authorize the disposal of any and all I.T. Hardware and/or Software.

Disposal shall be done in a legal, responsible, secure, eco-friendly manner with any disposal costs/fees being charged to the entity disposing of the I.T. Hardware and/or Software.

Disposed I.T. Hardware and/or Software under no circumstances shall be given to any Town Employee and/or the Public.

Approved by the Ayer Board of Selectmen on: DATE: _____

MR. MARK WETZEL, DPW SUPERINTENDENT

Superintendent Wetzel will appear before the BOS regarding the following items (See Enclosed Memo)

- Crabtree Wastewater Pumping Station Upgrade (See Enclosed)
- Sidewalk in front of 21 Main Street Update (See Enclosed)
- Proposed Changes to Industrial Pretreatment Permits (See Enclosed)
- DRAFT Wastewater NPDES Discharge Permit Update (See Enclosed)

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: October 1, 2013
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. **Crabtree Wastewater Pumping Station Upgrade - Vote to Award Contract** - Bids for the Crabtree Wastewater Pumping Station on Mulberry Circle were opened on September 23, 2013. There is an Article on Fall Town Meeting Warrant to fund this project. Due to the Emergency nature of this replacement, the DPW requests that the Board vote to award the project to the lowest responsible bidder, (FILL IN THE BLANK), pending approval of the funding at Town Meeting. This will expedite the contract execution process and the installation of the new station.
2. **Sidewalk in front of 21 Main Street - See attached memo.**
3. **Proposed changes to Industrial Pretreatment Permits - Vote to increase Industrial Discharge Limits** - The Town has Industrial Pretreatment permits with four significant industrial users (SIUs) in Town; Vitasoy, Epic, CPF and Cains. Vitasoy is expanding operations and has requested an increase in their permitted discharge flows and concentrations. The letter report from our engineering consultant, HTA, dated September 3, 2013, explain the details of our investigation. Based on this report, we recommend that the Board vote to increase the industrial discharge limits in accordance with the HTA report.
4. **Draft Wastewater NPDES Discharge Permit Update** - The Town of Ayer has received the draft Wastewater Discharge NPDES Permit from the EPA. The Town has until October 27 to review and comment on / contest the provisions of the permit. The DPW and our consulting engineer, HTA have developed a response strategy and will submit comments on behalf of the Town. Please see the attached memo.

DEPARTMENT OF PUBLIC WORKS

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

25 BROOK STREET
AYER, MASSACHUSETTS 01432
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Memorandum

Date: September 5, 2013

To: Robert Pontbriand, Town Administrator

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

Re: Crabtree Wastewater Pumping Station - Article for FY14 Fall Town Meeting



Due to recent problems with the Town's wastewater pumping station on Mulberry Circle, a detailed inspection of the structure was performed. The station piping and steel deck are severely corroded. This results in loss of pump prime and leakage. In addition, there is the potential for the floor to collapse. Temporary repairs have been made, but the station needs either significant structural repairs or replacement. This station was part of the Crabtree subdivision and was installed in 1994.

I reviewed the alternatives of repairing the existing station versus replacement with a new package station. Repairs will require removal of all equipment, fabrication of a new base, supports, piping and wiring connections and brackets and then reinstalling the existing pumps, priming system and controls. This will require approximately two to three weeks and will need bypass pumping during this period. Upon completion of the repairs, we would still have pumping equipment nearing the end of its useful life.

Replacement of the pumping station is the easiest and quickest method to repair the station. A new package pumping unit would be manufactured and could be installed in approximately two days. This would eliminate the need for bypass pumping and would provide the Town with a new, reliable and efficient station. In addition, provision will be made to prevent the corrosion problems that caused failure of the existing station.

We have received a budget quote from the pump manufacturer of \$70,000. I have prepared a design document and have advertised for bids. The bid opening will be September 26, so we will have an exact amount for Town Meeting.

DEPARTMENT OF PUBLIC WORKS

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

25 BROOK STREET
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F: (978) 772-8244

Memorandum

Date: September 24, 2013
To: Robert Pontbriand, Town Administrator
From: Mark Wetzel P.E., Public Works Superintendent
Re: Sidewalk in front of 21 Main Street



As requested, the DPW has investigated the problem with the brick section of sidewalk in front of Century Carpet, 21 Main Street. The area is a brick section in the concrete sidewalk. There is no concrete base under the brick. The other brick areas on Main Street are set on a concrete base. The sidewalk brick are un-even and there is sand on top of the bricks. This indicates either a leak below the brick or a settlement related issue. The Water Division had responded to a complaint of a water leak at this location several years ago. Their investigation indicated that the sump pump discharge was leaking and the water was rising to the sidewalk. Doug Jaspersen and I inspected the interior of the building and spoke to the owner, Mr. Jean Coutu. There is a sump pump connected to the roof drain discharge in the basement. Mr. Coutu stated that he had owned the building about a year and had never had any water in the basement. He said that the previous owner, Calvin Moore, had done significant drainage work behind the building and this had corrected the water problems. I talked to the building contractor, Mr. Mark Moynihan and he said they had dug up the roof drain discharge at the curb line and fixed a broken pipe. It is unclear whether this was before or after the Water Division observed the sump pump issue. Mr. Moynihan thought that the brick settlement was due to settlement of the trench.

Based on the above information, the DPW proposes the following:

- Inspect the roof drain pipe with our video camera to determine if there is a blockage or broken pipe.
- If no blockage or break is observed, repair the brick area by excavating 12-inches of material, installing processed gravel, geotech fabric, foundation sand and dry set brick. Joints will be filled with a polymerized sand mixture.
- Observe the area for settlement and water during spring rain events.
- If settlement is observed, we will re-evaluate the problem and solutions.

September 3, 2013

Town of Ayer
Department of Public Works
25 Brook Street
Ayer, MA 01432

Attn: Mr. Mark L. Wetzel, P.E., Superintendent

Re: *Town of Ayer, Massachusetts*
WWTF Organic Capacity Analysis

Dear Mr. Wetzel:

PURPOSE

The purpose of this letter is to present the findings of the Town of Ayer's WWTF organic loading capacity as per our Task Order No. 2013-05 and to determine if adequate capacity exists to accept, properly treat and dispose of additional wastewater from the existing Significant Industrial Users (SIUs) serviced by the Town's collection system. Our analysis was based strictly on the information provided by the Town on the Daily Monitoring Reports (DMRs) and the information provided by the Significant Industrial Users (SIUs) on the quarterly self-monitoring reports. The WWTF equipment's ability to treat flow and organic loads was not evaluated as part of this analysis. We are pleased to submit four (4) copies our letter report of findings on the current organic capacity of the WWTF and we thank you for selecting Hoyle, Tanner & Associates, Inc. (Hoyle, Tanner) for your municipal wastewater needs.

PROJECT BACKGROUND

In 1991 the Town established a federally approved Industrial Pretreatment Program (IPP) which was intended to reduce the organic loads to the WWTF in order to meet the existing National Pollutant Discharge Elimination System (NPDES) permit. The IPP included local limits for certain pollutant parameters that were allowed to be discharged in concentrations that would protect the Town's collection system, the WWTF and the Nashua River. The Town's four (4) SIUs chose to meet the local limit of 400 mg/L for BOD₅ and TSS by segregating their high organic strength waste stream and hauling this waste to area Publicly Owned Treatment Works (POTW)s for treatment and disposal. Currently, approximately 50,000 gpd of high strength organic waste is hauled from three SIUs to the Devens Commercial Center (DCC), Irving and Templeton WWTFs. The remaining portion of the waste stream that is able to meet the Town's local limits is discharged to the Town and is regulated through an Industrial Discharge Permit. Recent conversations with representatives of Cains Foods and Vitasoy, USA have informed the Town they will be requesting an increase in permitted flow during the next Industrial Discharge

Hoyle, Tanner
& Associates, Inc.

150 Dow Street
Manchester, New Hampshire 03101
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603-669-4168 fax
www.hoyletanner.com



*WWTF Organic Capacity Analysis
September 3, 2013*

Permitting cycle as well as the ability to discharge BOD₅ and TSS, on a pounds per day basis rather than a concentration basis. Cains Foods will be requesting up to 25,000 gpd and Vitasoy USA up to 150,000 gpd from the Town. CPF, Inc. and EPIC Enterprises will remain at their current industrial permitted flow.

The Town's WWTF treatment process currently consists of; wastewater passing through a cyclone grit removal system, followed by an influent chamber. Wastewater then flows to a clari-thickener, where primary solids are settled and removed, followed by anoxic and aerobic basins, where biological treatment takes place. Following the aeration basins, alum is added for phosphorus removal and wastewater then flows to secondary sedimentation tanks, where biological solids are removed. Secondary sedimentation tank effluent is then pumped to tertiary filters, for further solids removal. The final effluent is disinfected using ultraviolet light (UV). The facility has maintained the ability to use chlorine for disinfection in the case where the tertiary filter/UV system is offline. Chlorine may also be used for odor control. Residential septage (pumped septic tank contents) is accepted from Ayer and surrounding towns. Septage is ground and then added to the wastewater flow upstream of the grit removal system. Sludge is stored in sludge holding tanks and periodically hauled to the Upper Blackstone Water Pollution Abatement District (UBWPAD) WWTF for incineration and final disposal.

The existing NPDES permit (no. MA0100013) allows the Town to discharge up to a total of 1.79 mgd to the Nashua River and includes the following effluent permit limits:

PARAMETER	AVERAGE MONTHLY	AVERAGE WEEKLY	AVERAGE MONTHLY	AVERAGE WEEKLY
Flow	*****	*****	1.79 MGD	*****
BOD ₅	448 lbs/Day	672 lbs/Day	30 mg/l	45 mg/l
TSS	448 lbs/Day	672 lbs/Day	30 mg/l	45 mg/l

In 2006 the Town's WWTF was upgraded for phosphorus removal and denitrification and the Main Pumping Station was upgraded with new pumps and a SCADA system. Shortly thereafter, the Town entered into an Intermunicipal agreement with the DCC) to allow the Town to discharge up to 800,000 gpd from the Main pumping station through a force main to the DCC's WWTF. The Town not only has the ability to divert up to 0.80 mgd of flow but also 1,788 #/day of BOD₅ and 1,855 #/day of TSS to the DCC. Typically the Town diverts 0.10 mgd daily to DCC from the Main pumping station.

WWTF Organic Capacity Analysis
September 3, 2013

DATA REVIEW

The average daily flow to the WWTF is comprised of domestic, commercial and industrial flows, septage and infiltration and inflow (I/I). Thirty six (36) months of WWTF Daily Monitoring Reports (DMR) were reviewed for the period June 2010 through June 2013 to evaluate the twelve month rolling average daily flow and the influent BOD₅ and TSS loadings. During the study period, the influent data collected at the headworks of the WWTF was not influenced by any recycle streams.

The WWTF design and current organic loadings are presented in Table 1.

Table 1 EXISTING WWTF DESIGN AND ORGANIC LOADINGS			
Parameter	Design	Avg. Influent (2010-2013)	Avg. Removal efficiency (2010-2013)
Flow (mgd)	1.79	1.23	
BOD ₅ (#/day)	4,000	2,350	96
TSS (#/day)	4,000	3,420	98.5

The SIUs permitted and actual flows and loadings are presented in Table 2.

Table 2 PERMITTED FLOWS AND LOADINGS FROM SIUs								
Industry	Permitted Flow (gpd)	Actual Flow (gpd)	Permitted BOD₅ conc. (mg/L)	Permitted BOD₅ loading (#/day)	Actual BOD₅ Loading BOD₅	Permitted TSS conc. (mg/L)	Permitted TSS loading (#/day)	Actual TSS loading (#/day)
Cains Foods ¹	10,000	0	400	33	0	400	33	0
CPF, Inc.	180,000	132,000	400	600	314	400	600	22
EPIC Enterprises, Inc.	100,000	40,000	400	334	63	400	334	12
Vitasoy USA	109,540	99,500	400	365	216	400	365	219
TOTAL	399,540	271,500		1,332	593		1,332	253

¹ Cains Foods has certified that it has not discharged industrial wastewater to the Town since December 2011 but rather has shipped its segregated waste offsite.

The data is based on self-monitoring reports from the SIUs for the period 1/13 - 6/13 since this data represents the most current conditions at the SIUs. The data also reveals that the SIUs are discharging flows and loading to the Town well below permitted limits.

EXISTING CONDITIONS AT THE WWTF

The NPDES permit requires permit holders to update its Facilities Plan should the average monthly flow exceed 80 % of the design flow for a period of 90 consecutive days. The 80 % design capacity of 1.79 mgd is 1.43 mgd and the 12 month rolling average is 1.23 mgd. For the most part the rolling average indicates a consistent flow with the exception of months with heavy rainfall events slightly increasing the rolling average for certain months. It is evident that there were periods of high flows during the month of June 2013 and this was the only month in the 36 month study period that indicated exceedences of the design flow of the WWTF.

As noted by the data, there is available hydraulic capacity at the WWTF when 100,000 gpd is diverted to the DCC. The flows would be very near the 1.43 mgd (80 percent capacity) if 0.10 mgd were not diverted each day. The DMR data indicates that on one occasion in June 2013 400,000 gpd needed to be diverted to the DCC in order for the Ayer WWTF remain below the 80 % design monthly average flow since several days during this month exceeded the total design flow of the plant.

The domestic flow is approximately 0.80 mgd. Domestic sampling conducted in 2008 as part of the Headworks Loading Analysis by Hoyle, Tanner, indicated the domestic concentration to the WWTF for BOD₅ and TSS was 223 mg/L and 120 mg/L respectively. The domestic sampling program included collecting samples at two locations at the junction of Highland and Lincoln Street and on Groton Harvard Road for three consecutive days. These locations are devoid of commercial and industrial users. Since the data is within typical literature values for domestic wastewater, additional domestic sampling for these parameters was not conducted for this analysis.

The WWTF must also maintain a minimum of 85 percent removal for both BOD₅ and TSS. According to the DMRs there are times when the maximum BOD₅ load is over 6,000 #/day and the TSS is over 9,000 #/day. However, these loadings did not cause the WWTF to violate the NPDES permit. The fact that the WWTF did not violate permit is due to very high removal efficiencies for both BOD₅ and TSS, 96 % and 98.5 % respectively. For the purpose of calculating the Maximum Allowable Headworks Loading for these parameters, the most conservative removal efficiency over the 36 month study period was used, 92 % for BOD₅ and 96 % for TSS. The recent higher than average organic loadings in 2013 will be monitored through the Town's Industrial Pretreatment Program.

Septage was also sampled at the time of the 2008 Headworks Analysis and the contribution from a typical 3,000 gallon septage truck was 4,700 mg/l for BOD₅ and 10,000 mg/L for TSS. Septage is accepted at the headworks of the WWTF and the volume of septage delivered varies depending on the month. Typically many domestic septic systems are pumped in April/May and October/November. A total of 108,000 gallons the month of May 2013 was accepted. The average daily load accepted is on average 9,000 gpd.

The Town does experience some I/I during wet weather months on the order of 0.1 – 0.15 mgd and continues to conduct I/I removal work within target collection system subsystems.

CALCULATION OF THE MAXIMUM ALLOWABLE HEADWORKS LOADING

The Maximum Allowable Headworks Loading (MAHWL) indicates the maximum allowable loading to the headworks for the WWTF to meet the NPDES criteria. For BOD₅ and TSS the NPDES permit limit of 30 mg/L is the limiting criteria since there is not a water quality standard or a sludge disposal criteria for these two parameters. Inhibition, defined as causing interference with the biological process was reviewed for the 36 month period. There have been several instances of upset at the WWTF but substantial documentation did not prove that the process upset was caused by an excessive organic loading. The documentation indicated that the upsets to the biological process were caused by equipment mechanical malfunctions.

Using the USEPA Local Limits Development Guidance Manual, July 2004, the formula to calculate the MAHWL is as follows:

$$MAHWL_{(inf)} = 8.34 \times (\text{NPDES permit limit}) \times (Q_{POTW}) / (1 - R_{POTW})$$

$$MAHWL_{BOD_5} = 8.34 (30) (1.23) / (1 - .92) = 3,847 \text{ \#/day}$$

$$MAHWL_{TSS} = 8.34 (30) (1.23) / (1 - .96) = 7,675 \text{ \#/day}$$

Table 3		
MAXIMUM ALLOWABLE HEADWORKS LOADING		
Ayer (80% of design flow) (mgd)	1.43	
Flow allowed to be diverted to DCC (mgd)	0.80	
<i>Total available flow (mgd)</i>	2.23	
	BOD₅	TSS
MAHWL Ayer WWTF (#/day)	3,847	7,675
Loading available at DCC (#/day)	1,788	1,855
<i>Total Loading available to Ayer (#/day)</i>	5,635	9,530
Safety Factor (10%) ²	564	953
<i>Subtotal</i>	5,072	8,577
Domestic Loading(#/day)	1,487	800
TOTAL (#/day)	3,585	7,777

² Suggested USEPA Local Limits Guidance Manual July 2004 factor of safety to protect the WWTF

Therefore, there is 3,585 #/day BOD₅ and 7,777 #/day TSS remain available to apportion to the interested parties such as the SIUs, septage haulers and the Town of Groton.

The Town has been approached by the Town of Groton, in reference to the Lost Lake sewer project and the possibility of discharging up to 125,000 gallons to the Westford Road Sewer at the Ayer/Groton Town line. The organic loading from this project would be 232 #/day for BOD₅ and 125 #/day for TSS, using the same domestic concentrations as Ayer.

The Town typically accepts up to 9,000 gpd of septage to service the local septage haulers. The organic loading from these users would be 350 #/day for both BOD₅ and 834 #/day for TSS.

If the Town chooses to save loading for the septage haulers and the Town of Groton, then there would be 2,400 #/day BOD₅ and 5,455 TSS remaining for the future SIU permitted flow.

	BOD₅	TSS
Loading available (#/day)	3,585	7,777
Septage (#/day)	350	834
Groton (#/day)	232	125
In Town Growth (20%)	600	1,363
Total Available for SIUs (#/day)	2,400	5,455

This remaining loading may be apportioned to the SIUs or the Town may want to save some of the loading for additional growth. If all of the loading is given to the SIUs, one method of doing so is to use the apportionment of loading by flow method as below. This would give each existing SIU an organic loading that may be discharged based on requested permitted flow.

SIUs	Requested Permitted Flow (mgd)	% total SIU Flow	BOD₅ (#/day)	mg/L	TSS (#/day)	mg/L
Cains Foods	0.025	0.055	132	633	300	1,437
EPIC Enterprises	0.100	0.220	528	633	1,199	1,437
CPF, Inc.	0.180	0.396	950	633	2,158	1,437
Vitasoy, USA	0.150	0.330	792	633	1,798	1,437
	0.455	1.000	2,400		5,455	

LIMITATIONS WITHIN THE COLLECTION SYSTEM

During the 2012 I/I study of the area known as subsystem 8, encompassing the Stoneybrook Industrial Park, a catch basin was removed from the sanitary collection system and redirected to the separate storm drain system. The redirecting of the catch basin removed some 5,000 gallons reaching the Stoneybrook PS during a 0.5 inch rain event. This will more than likely

benefit the additional flow requested to be discharged by Vitasoy which will flow through the Stoneybrook PS.

In the absence of an updated evaluation of the Stoneybrook Pumping Station, Hoyle, Tanner relied on existing pump records from the period October 2011 through December 2012 to determine the amount of wastewater that could be pumped through the Stoneybrook station. The station has two (2) 300 gpm pumps which are capable of pumping a total of 432,000 gpd.

CONCLUSIONS AND RECOMMENDATIONS

Hoyle, Tanner & Associates has concluded that there is adequate capacity at the WWTF for flow and organic loads for the requested flows from the SIUs by increasing the flows diverted to the DCC. However, a thorough updated evaluation of the Stoneybrook PS to convey flows from Vitasoy to the Westford Road sewer and the hydraulic capacity of this pumping station, force main and sewer should be conducted to be certain that the collection system will not be adversely affected by the additional flows and loadings. Financial consideration should also be given to the increased costs to divert more flows to the DCC as well as the burden on the POTW equipment and energy costs due to the higher organic loads.

We recommend that the Board of Selectmen select the method of allocating the available flow and organic loads in a fair and equitable manner to the users of the system, as presented herein. The USEPA will need to review the information contained herein and upon acceptance the Town may issue a public notice to change the local limit for BOD₅ and TSS to a load based limit.

We thank the Town for letting us participate in this project and we look forward to continuing to serve the Town. Please do not hesitate to contact this office should you have any questions or concerns.

Sincerely,
HOYLE, TANNER & ASSOCIATES, Inc.

Paula M. Boyle

Paula M. Boyle, Associate
Project Manager

DEPARTMENT OF PUBLIC WORKS

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

25 BROOK STREET
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Memorandum

Date: September 25, 2013
To: Robert Pontbriand, Board of Selectmen
From: Mark Wetzel P.E., Public Works Superintendent
Re: Wastewater NPDES Permit



The USEPA has issued the draft Wastewater NPDES permit for the Town Wastewater Treatment Plant. The draft permit "contains effluent limitations and conditions to assure that the discharge receives adequate treatment and will not violate State water quality standards." The Town must provide comments to the EPA and MassDEP by October 27, 2013. The DPW is working with Hoyle, Tanner and Associates (HTA) to review and comment on the draft permit.

There are several proposed effluent limits that are of concern, including phosphorus, aluminum, lead and copper. The current permit includes the same phosphorus limits, however we add an aluminum based coagulant to meet this limit. With an aluminum limit, process changes will be required. We are evaluating the current effluent parameters with respect to the proposed limits.

In order to review, comment and negotiate the final NPDES Permit, we have the following action plan:

- 1) Review DRAFT NPDES – completed
- 2) Update BOS on draft permit and course of action
- 3) If approved by BOS, meet with special legal counsel to develop process and strategy
- 4) Schedule a meeting with USEPA & MADEP on technical issues
- 5) Conduct influent source baseline sampling and analysis for permitted parameters
- 6) Develop preliminary process alternatives
- 7) Conduct phosphorus optimization evaluation
- 8) Conduct copper removal evaluation at the WWTF, including supplemental jar testing

At this time, the ability to meet the proposed metal limits and the capital and operational cost impacts have not been determined. However it could result in significant costs. Based on this, I recommend that the Town engage a special legal counsel to assist in the draft review and comment process.

If any of the Board members would like to see the draft permit, I can provide a copy.

TOWN ADMINISTRATOR'S REPORT

OML (Open Meeting Law) 940 CMR 29.10: Remote Participation for Public Meetings (See enclosed CMR and DRAFT Policy)

- At the request of Selectman Luca, this item was originally on the BOS Sept. 17, 2013 Agenda but was not addressed that evening. Enclosed is a copy of the Law as well as a DRAFT policy to facilitate the discussion.

Proposed Policy for the Posting of Meeting Minutes to the Web-Site (See Enclosed)

- At the request of Selectman Livingston, this item was originally on the BOS Sept. 17, 2013 Agenda but was not addressed that evening. Enclosed is a memo and proposed policy from the Town Administrator from Sept. 17, 2013 to facilitate the discussion.

Proposed Policy for the Acquisition of Furniture; Equipment; and Alterations for Town Hall (See Enclosed)

- As requested by the BOS and provided on Sept. 17, 2013 enclosed is a proposed policy for the acquisition of furniture, equipment, and alterations for Town Hall.

Proposed Town-Wide Policy on Cell Phones (See Enclosed)

- As requested by several Selectmen, enclosed is a proposed policy on Town-Wide Cell Phones to facilitate the discussion.

Proposal for Placement of Signs on Public Lands (See Enclosed)

- At the request of Selectman Hillman, enclosed is a proposed DRAFT policy for the placement of signs on public lands to facilitate the discussion.

Easy Street Public Street Acceptance (See Enclosed)

- As part of the official process for street acceptances, the BOS is respectfully requested to take a formal vote accepting Easy Street as a public way. The Planning Board took a unanimous vote on Sept. 19, 2013 to that effect and the meets and bounds are now certified and on file for public viewing in the Town Clerk's Office. A warrant article is prepared for FTM for the street acceptance.

Special Fall Town Meeting Warrant DRAFT #3 and DRAFT #4 (See Enclosed)

- Enclosed is DRAFT #3 of the FTM Warrant which was electronically transmitted to the BOS on September 25, 2013. As a result of the Bi-Board meeting on September 26, 2013, I have taken the liberty to prepare a DRAFT #4 which reflects the recommendations of the Bi-Board. The final deadline for the Warrant to go to the Printer's is Friday, October 11, 2013 at 12pm Noon. Therefore, I am respectfully requesting that the BOS meet the week of October 7th to finalize the FTM. The Fin Com will take its formal recommendation votes on October 9th.

Town Administrator's Electronic Communications Policy Protocols (See Enclosed)

- Enclosed are the Town Administrator's Electronic Communications Policy Protocols which were transmitted to the BOS on September 5, 2013 and were on the September 17, 2013 BOS Agenda but not taken up. The Town Administrator respectfully would like to discuss them with the BOS.

Rates and Fees Study Committee

- As part of the FY 2015 Budget Process it is essential that the Town conduct a review of its various rates and fees by the Rates and Fees Study Committee. The Committee is composed of one Fin Com member as well as Citizen and Business Representatives. There are currently neither and an effort is being made to get the Committee citizen and business representatives for one-year terms so that the Committee can conduct the review.

Habitat for Humanity Update

- A brief oral update on the Habitat for Humanity project scheduled for 76 Central Ave. in Ayer will be given.

29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating these regulations, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, sec. 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, sec. 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

(5) Permissible Reasons for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

(a) Personal illness;

(b) Personal disability;

(c) Emergency;

(d) Military service; or

(e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

(i) telephone, internet, or satellite enabled audio or video conferencing;

(ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

(8) Further Restriction by Adopting Authority. These regulations do not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.



The Official Website of the Attorney General of Massachusetts

Attorney General Martha Coakley

[Home](#) [Government Resources](#) [Open Meeting Law](#) [OML FAQ: Remote Participation](#)

OML FAQ: Remote Participation

Remote Participation

If the practice of remote participation has been authorized in a municipality, may an individual public body adopt a policy prohibiting or further restricting its use?

No. Only the adopting authority specified in 940 CMR 29.10(2) may establish restrictions on the use of remote participation. The adopting authority can authorize the practice for all public bodies within its jurisdiction but give all public bodies the opportunity to opt out of the practice, however.

[To Top](#)

What types of restrictions may an adopting authority place on remote participation?

An adopting authority, such as the Board of Selectmen in a town, may decide to adopt the practice of remote participation, but place restrictions on its use. Just as the adoption of remote participation must apply to all public bodies within the adopting authority's jurisdiction, however, any restriction on remote participation, other than on the amount or source of payment for any costs associated with the practice, must apply uniformly to all public bodies within the adopting authority's jurisdiction.

For instance, a Board of Selectmen may choose to adopt a policy saying that no member of any town board may participate remotely in more than three meetings each year. Or the Board may adopt a policy stating that a last minute lack of childcare shall be considered a personal emergency justifying remote participation under 940 CMR 29.10 (5)(c). However, the Board may not authorize the practice but say that only the Board of Selectmen can utilize it. The Board can say that funds for the purchase of necessary equipment will only be allocated for the Board's use, though.

An adopting authority also may not adopt a policy that violates state or federal law. Thus, it is not permissible for an adopting authority to say that no member may participate remotely due to personal disability or geographic distance, since these are allowable reasons for remote participation under the Attorney General's regulations. But the adopting authority can adopt a policy saying, for instance, that a public body member who wishes to participate remotely due to geographic distance must be a certain distance from the meeting location for his or her physical attendance to be considered unreasonably difficult.

[To Top](#)

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******PROPOSED DRAFT POLICY******

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. Public body members may participate remotely in Executive Session, but the Chair must state their name(s) and reason(s) for remote participation in Open Session prior to entering Executive Session. This information must be recorded in the minutes of the meeting. Once in Executive Session the remote participant(s) must state that no other persons are present and/or able to hear the discussion at the remote location(s), unless presence of such person(s) is approved by a simple majority vote of the public body.
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

Board of Selectmen

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



(978) 772-8220
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Town Administrator
(978) 772-8210

MEMORANDUM

DATE: September 11, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Electronic Posting of Town of Ayer Meeting Minutes

Dear Selectmen,

As the Board is aware the issue of posting Town of Ayer Meeting Minutes remains a periodic issue of concern/frustration that often results in a debate as to the matter of policy with respect to meeting minutes (as it does in all municipalities). I offer the following memo to facilitate the discussion and a potential proposal for a policy if the Board wishes to consider.

As the Board is aware, M.G. L. c. 4, § 7(26) (Massachusetts Public Records Law) states what a Public Record is as well as Exemptions to the Public Record Law. The Public Records Law is enforced by the Secretary of State's, Public Records Division (kindly refer to your materials from the Public Records Training and/or to the "Town Officials Toolbox" on the Town's website).

All meetings of all Town of Ayer Public Bodies (Boards, Commissions, Committees, i.e.) under the Open Meeting Law (and Public Records Law) **MUST** keep official meeting minutes. These meeting minutes in **BOTH draft form and final form are public records** (with the exception of the exemptions of the public records law).

All Town of Ayer public bodies and employees are subject to the Public Records Law and **MUST** comply with the provisions set forth by the Public Records Law regarding a Public Records Request (refer to Public Records Training materials and/or "Town Officials Toolbox").

The Ayer Town Clerk is the official repository and custodian of all meeting minutes of the Town of Ayer's various (Boards, Commissions, Committees, etc.) The Ayer Town Clerk is the Town's Keeper of the Records. Only in his custodianship are the actual official meeting minutes of the Town's various public bodies. It is the legal responsibility of each public body of the Town of Ayer to ensure that their official minutes are filed with the Ayer Town Clerk. This is a legal requirement and responsibility of the Town of Ayer.

The only exception to this are the records of the Ayer Board of Selectmen, including the Ayer Board of Selectmen Meeting Minutes for which the Town Administrator is authorized by the Ayer Board of Selectmen as the official Keeper of the Selectmen's records including their meeting minutes. This is a legal requirement and responsibility of the Town of Ayer.

Official meeting notices must be posted in accordance with the Open Meeting Law (which is enforced by the Attorney General) at least 48 hours in advance of said meeting and must be stamped by the Town Clerk and posted on the Town's Official Posting Board on the Columbia Street Side of Town Hall. No other posting method is official in the Town of Ayer with respect to meeting notices and agendas.

This brings me to my final point(s). The posting of meeting minutes, agendas, and public documents on the Town of Ayer Web-Site and/or Facebook Page is not a legal requirement or legal responsibility of the Town of Ayer in terms of the Public Records Law and/or Open Meeting Law.

The Town of Ayer does its due diligence to provide as much information as possible to the public via electronic means BUT it is not a legal requirement. It is a local service and courtesy to the public in the interests of increased transparency and open government.

It should also be noted that all material posted on the Town of Ayer Web-Site and Facebook Page is NOT necessarily an official record (a public record yes, but not an official record). Meeting Minutes posted on the Town Web-Site should not be considered an official record but a public record.

The posting of all material on the Town of Ayer Web-site and Facebook Page is the responsibility of the Town Administrator who as the Town's Public Information Officer is responsible for the review and approval of all material that is posted. The I.T. Systems Administrator does that actual scanning and posting of approved materials.

Oct.
1st

The Board of Selectmen may consider issuing a policy memorandum to all public bodies ~~which are appointed~~ by the Board to comply with the posting of meeting minutes on the Town web-site within a certain period of time upon the meeting minutes being officially finalized and accepted.

In terms of elected boards, commissions, and elected officials, the Town does provide web-pages on the Town Website for them to post materials (including meeting minutes) but it is largely at their discretion in that they are not legally required to nor can the Board of Selectmen order them to do so.

Thank you for your time and consideration.

Cc: John C. Canney, II, Ayer Town Clerk
Cindy Knox, I.T. Systems Administrator

MEMORANDUM

DATE: September 3, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Proposed Policy for the Acquisition of Furniture; Equipment; and Alternations for the Ayer Town Hall [DRAFT]

Dear Selectmen,

As a result of various discussions by the BOS over the last few months, it became evident that the Town of Ayer was in need of an official policy for the acquisitions of furniture; equipment; and alterations for the Ayer Town Hall. Per your request, I was to draft the following proposed policy for your review and consideration at your September 17, 2013 BOS Meeting.

In consultation with the Director of Facilities Maintenance, I am pleased to present you with the following proposed policy for your review and consideration:

Town Hall Policy for the Acquisition of Furniture; Equipment; and Alternations for the Ayer Town Hall

Purpose:

- The purpose of this Town Hall Policy is to ensure that the acquisition of furniture; equipment; and/or alterations to the Ayer Town Hall are done professionally taking into account the historic preservation of the Town Hall and its grounds; the acquisition, placement and/or installation of furniture and/or equipment that is cost effective, efficient and in compliance with the preservation of the historic Town Hall; Americans with Disabilities Act (ADA); building code; federal/state/local public safety; federal/state/local public health; maintains the aesthetic beauty of the building and grounds; and finally ensures a safe, pleasant environment for Town Hall Employees and the Public.

Scope:

- The scope of this policy is the entire Town Hall Building (including all of its internal equipment, furnishings, and systems); the Grounds of the Town Hall (including all monuments, trees, plantings, and artifacts).
- This policy applies to all Boards (elected and appointed); Commissions (elected and appointed); Committees; Employees (elected and appointed); Visitors of Town Hall; Rentals of Town Hall; and the General Public.

Authority:

- The care and custodianship of the Ayer Town Hall and its Grounds are officially delegated to the Town Administrator by the Ayer Board of Selectmen. The Town Administrator with respect to the care and custodianship of the Ayer Town Hall and its Grounds consults with the Facilities Maintenance Director. The Town Administrator shall keep the Ayer Board of Selectmen informed regularly of the condition/status of the Town Hall and its Grounds.
- This policy is subject to adoption, amendment, revisions, and/or revocation by a majority vote of the Ayer Board of Selectmen in consultation with the Town Administrator.
- The Fire Chief and/or his designee(s) shall annually inspect the Town Hall for Fire Safety Compliance. The Fire Chief and/or his designee(s) have the authority to remove any furniture and/or equipment (Town owned or Personally Owned) that poses a Fire Hazard to the Town Hall.
- The Police Chief and/or his designee(s) have the authority to remove any furniture and/or equipment (Town owned or Personally Owned) that poses a public safety hazard to the Town Hall.
- This policy does not supersede any relevant Federal and/or State Laws.

Policy:

Furniture (Common Areas):

- Any and all furniture for common areas and common use in the Ayer Town Hall are the responsibility of the Town Administrator in consultation with the Facilities Maintenance Director. The acquisition, disposal, alteration, placement, and use of Town Hall furniture in common areas must be authorized by the Town Administrator in consultation with the Facilities Maintenance Director.

Furniture (Specific Offices):

- The funding for all furniture for specific offices is the responsibility of that specific department. All furniture purchased for use by Departments and their personnel are the

property of the Town of Ayer. All Employees are required to properly use and maintain their respective Office furniture in conformance with the manufacturer's specifications. Damage to furniture in specific offices is the sole responsibility of that specific department in terms of repair and/or replacement and all costs associated after prior approval by the Town Administrator in consultation with the Facilities Maintenance Director. Common wear items (i.e. office chair mats) are the responsibility of the individual Departments to plan for and fund.

Equipment (Common Areas):

- All Town Hall Equipment located in common areas is the sole responsibility of the Town Administrator and Facilities Maintenance Director. This includes but not limited to all equipment in: all public meeting spaces; all restrooms; the Employee Break Room; the Great Hall; and any equipment on or in the Town Hall grounds. Employees and the Public are expected to properly use any common equipment and immediately report any damage or issues to the Town Administrator and/or Facilities Maintenance Director.

Equipment (Specific Offices):

- All equipment in specific offices is to be acquired, maintained, and disposed of in the proper manner at the expense of the specific Department. All equipment in specific Departmental offices is the sole property of the Town of Ayer. Damage to specific office equipment is the sole responsibility of that specific department in terms of repair, replacement, and or disposal. The Town Administrator and/or the Facilities Maintenance Director reserve the right to remove any equipment which is deemed unsafe.

Information Technology (I.T.) Equipment:

- All I.T. equipment and technology (hardware and software) is the sole responsibility of the Town Administrator in consultation with the I.T. Systems Administrator, the I.T. Committee, and the Town-Wide I.T. Acquisition Policy.

Physical Alterations to the Town Hall:

- Any and all physical alterations to the Town Hall and/or the Town Hall Grounds must be submitted to the Town Administrator in consultation with the Facilities Maintenance Director for review and approval.
- Any alterations that impact the historic preservation of the Town Hall and/or Grounds will be submitted by the Town Administrator for a formal review by the Ayer Historic Commission in consultation with the Ayer Board of Selectmen.
- Any physical alterations to the Town Hall and/or Grounds deemed to not be in the best interests of the Town of Ayer will be denied.

Town Clerk Vault:

- The Town Clerk Vault is the sole responsibility of the Ayer Town Clerk to ensure that the Vault is properly secure at all times. In the interests of protecting the Town's records, the Town Administrator in consultation with the Facilities Maintenance Director reserves the right to secure the vault in the absence of the Town Clerk or if the Town Clerk does not secure the Vault.

BOS Vault:

- The Board of Selectmen's Vault is the sole responsibility of the Town Administrator.

Town Hall Climate Control:

- The climate control (including the air circulation) of Town Hall is under the authority of the Town Administrator in consultation with the Facilities Maintenance Director. The Town Hall's temperatures will be set at the minimum at Federal Temperature Standards.

Town Hall Elevator:

- The Town Hall Elevator is the sole responsibility of the Town Administrator in consultation with the Facilities Maintenance Director. The Town Hall Elevator will be inspected by the State in accordance with MGL.

Securing Town Hall After Hours:

- It shall remain the policy of the Town of Ayer, that the last individual and/or individuals leaving the Town Hall shall be responsible for securing the front and side doors as well as ensuring that all common lights are out (including the Great Hall; Employee Break Room; and Stairwells).
- It is the responsibility of the individual(s) to know how to secure the building. Instruction on securing the building is available by the Board of Selectmen's Office.
- Failure to properly secure the Town Hall after Hours may result in the revocation of the use of Town Hall by the individual(s) and or disciplinary action in terms of Employees.

Enforcement:

- The Town Administrator in consultation with the Facilities Maintenance Director shall be responsible for the enforcement of this policy.
- Failure to comply with this policy may result in disciplinary action and/or revocation of the use of specific furniture, equipment, and/or the use of Town Hall.

[PROPOSED DRAFT POLICY]

DATE: September 26, 2013

TO: All Town of Ayer Employees

FROM: Robert A. Pontbriand, Town Administrator

SUBJECT: Town of Ayer Cell Phone Use Policy (Proposed DRAFT)

On [insert date], the Ayer Board of Selectmen voted to adopt and implement the following policy pertaining to the use of cellular phones by all Town Employees.

Cell Phone Use Policy:

- All Employees who have Town-owned cellular phones (including Blackberry, I-Phone, and Tablets) and accessories are responsible for the proper care of the equipment.
- All Town-issued cellular phones (including Blackberry, I-Phone, and Tablets) and accessories are the property of the Town of Ayer.
- All Employees may be financially responsible for loss, damage, or failure to return a Town-issued cellular phone (including Blackberry, I-Phone, and Tablets) and/or accessories.
- The use of cellular phones (including Blackberry, I-Phone, and Tablets) and accessories to transmit and/or receive inappropriate communication is strictly prohibited. Inappropriate communication includes , but is not limited to: discriminatory, hostile, suggestive, obscene, harassing, annoying or otherwise unsuitable language, imaging, and/or video content.
- The assignment of a Town-issued cellular phones (including Blackberry, I-Phone, and Tablets) and accessories to an Employee may be withdrawn at any time for violation of this Policy and/or at the discretion of the Department Head with approval by the Town Administrator.
- Violation(s) of the Town of Ayer Cell Phone Use Policy is subject to potential disciplinary action against the Employee.
- The Ayer Board of Selectmen reserves the right to amend, suspend, and/or revoke this Policy by a simple majority vote of the Ayer Board of Selectmen at a posted open meeting.

Cc: Ayer Board of Selectmen

Board of Selectmen

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



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Town Administrator
(978) 772-8210

MEMORANDUM

DATE: August 31, 2013

TO: Ayer Board of Selectmen

Cc: Ayer Zoning Board of Appeals; Building Commissioner; Police Chief; DPW
Superintendent; Town Clerk

FROM: Robert A. Pontbriand, Town Administrator

SUBJECT: PROPOSED DRAFT Amendment to the Zoning Bylaw (Article VI Special Provisions, Section 1, Signs and Billboards) New Proposed Subsection J. "Placement of Political Signs on Public Lands"

Dear Selectmen,

As originally proposed by Selectman Hillman last year and discussed on various occasions in open session by the Board of Selectmen, the need for an Amendment to Section 1 (Signs and Billboards) of Article VI (Special Provisions) of the Zoning Bylaw to consist of a new Subsection J. "Political Signs on Public Lands" has become apparent.

For your reference, attached is a copy of Article VI of the Zoning Bylaw pertaining to signs and billboards (See Attached).

I would respectfully propose the following PROPOSED DRAFT Amendment to Article VI, Section 1 of the Zoning Bylaw consisting of a new proposed Subsection J: "Placement of Political Signs on Public Lands" subject to review, revisions, and approval of the Ayer Zoning Board of Appeals; Building Commissioner; legal review by Town Counsel; final approval by the BOS; and finally consideration of adoption by Town Meeting.

In Massachusetts, there are no state statutes addressing unattended signs on state property. However, the Secretary of State's Office, Division of Elections states that: *"if the sign is on state land, for example on a rotary or highway, the state police will remove it where they believe it to be a traffic or safety hazard."* On the municipal level, it is quite common for a by-law to exist, either regulating or forbidding the posting of signs on public property but ultimately with respect to state land, the legal authority and enforcement is vested with the appropriate state entity (i.e. State Police; Mass Highway, etc.)

ARTICLE VI. Special Provisions

Section 1. Signs and Billboards

Subsection J. "Placement of Political Signs on Public Lands" [PROPOSED DRAFT]

1. Political signs shall be permitted in all districts (except public lands owned by the Town of Ayer) if they are stationary, unlighted and do not exceed a maximize size of six (6) square feet. Political signs shall be displayed no earlier than thirty (21) calendar days prior to a voting day, and shall be removed within five (5) days after voting day.
2. Political signs shall be permitted on public lands (owned by the Town of Ayer) if they are stationary, unlighted and do not exceed a maximize size of six (6) square feet. Political signs shall be displayed no earlier than fourteen (14) calendar days on public lands prior to a voting day, and shall be removed within five (5) days after voting day.
3. Prohibited on Public Lands - No person shall erect or display, or cause or authorize any person to affix, erect, display, place or post any political sign on any public property or utility pole or within a public right-of-way, on traffic signs, signals, or devices including directional signs, advisory signs, regulation signs and traffic-signalized intersections, or where signs may be obstructed from the driver's view. Political signs on public lands may be removed without notice by the Ayer Building Inspector, the Ayer Police Department or the Ayer Department of Public Works. The Chief of Police or the Superintendent of Public Works, as the case may be, shall cause a list of political signs removed from public property to be filed with the Town Clerk for public information. The Town Clerk shall retain such lists for a period of fourteen (14) calendar days following the voting day. The Ayer Department of Public Works shall retain any removed political signs for a period of fourteen (14) calendar days following voting day.
4. Political signs placed on the Ayer Rotary (Charlton Circle) and/or adjacent traffic islands which are owned by the Commonwealth of Massachusetts (Regulated by Mass Highway) are ultimately subject to the authority and enforcement of the appropriate entity designated by the Commonwealth (i.e. Secretary of State, State Police, Mass Highway, etc.). However, the placement of political signs on the Ayer Rotary (Charlton Circle) and/or adjacent traffic islands shall be permitted if they are stationary, unlighted and do not exceed a maximize size of six (6) square feet. Political signs shall be displayed no earlier than fourteen (14) calendar days on public lands prior to a voting day, and shall be removed within five (5) days after voting day. Political signs placed on the Ayer Rotary (Charlton Circle) and adjacent/or adjacent traffic islands may be removed without notice by the Ayer Building Inspector, Ayer Police Department, Ayer Department of Public Works, and/or the Commonwealth of Massachusetts if they pose a direct traffic and/or public safety threat.
5. Enforcement. The Ayer Building Inspector is hereby authorized to enforce this bylaw for any sign erected before and after the adoption of this bylaw. The Ayer Building Inspector is authorized to order the removal of any political sign which in his/her judgment is dangerous, in disrepair or contrary to Article VI of the Ayer Zoning Bylaw and/or Subsection J.

ARTICLE VI SPECIAL PROVISIONS

Section 1. Signs and Billboards.

A. Purposes.

This Section of Article VI of this bylaw is adopted for the regulation and restriction of signs within the Town of Ayer in order to prevent or minimize damage to the environment, to protect and enhance the visual environment of this town and the safety, convenience and welfare of its residents.

- B. This Section of Article VI of this by-law is adopted as a Zoning by-law pursuant to Chapter 40A of the General laws. This Section of Article VI of this by-law is hereby declared to be remedial and protective, and is to be so construed and interpreted as to secure the beneficial interests and purposes thereof.

C. Administration and Enforcement

1. Enforcement

- (a) The Building Inspector is hereby authorized to enforce this by-law for any sign erected before and after the adoption of this bylaw. The Building Inspector is authorized to order the repair or removal of any sign and its supporting structure which in his judgment is dangerous, or in disrepair or which is erected or maintained contrary to this by-law.

(b) deleted

(c) Immediate removal may be ordered by the Building Inspector of any sign requiring a permit which has been erected without first obtaining such permit.

2. Permits

- (a) Except as provided below a sign permit from the Building Inspector shall be required for the erection, construction or alteration of a sign. The application for a permit shall be submitted in such a form as the Building Inspector may prescribe and shall include a drawing to scale and other such information as may be required for a complete understanding of the proposed work. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected. In reviewing applications submitted to him, the Building Inspector shall apply the following standards in acting upon each permit, unless otherwise specifically provided:

- (1) The sign will not cause visual confusion, flare, or offensive lighting in a neighborhood.
- (2) The sign will not be a detriment to the surrounding area.
- (3) The sign will not significantly alter the character of the zoning district.

(4) The sign will not interfere with traffic or safety in the area.

(b) Within 30 days after the application for a permit is submitted, the Inspector of Buildings shall approve or deny the application. If the Building Inspector does not take action on the application within 30 days, the application shall be deemed approved.

(c) No permit shall be required for a sign in a residence erected in accordance with the provisions of this by-law.

(d) Accessory signs legally erected before the adoption of this by-law which do not conform to the provisions of this by-law may continue to be maintained in compliance with the requirements for a permit in effect as of the adoption of this by-law; provided, however, that no such sign shall be permitted if, after the adoption of this by-law, it is enlarged or altered in any substantial way, except to conform to the requirements of this by-law.

Any sign legally erected before the adoption of this by-law which after that date: advertises, calls attention to or identifies products, persons or activities which are no longer sold, located, or carried on at the premises must be removed within 60 days after notice by the Building Inspector; and any such sign predating this by-law which has not been repaired or properly maintained, within 60 days after notice to that effect has been given by the Building Inspector, be brought into compliance with the requirements of this by-law or removed.

(e) A sign permit shall become null and void if the work for which the permit was issued has not been completed within a six month period.

(f) Permits shall not be required for window signs.

3. Fees

(a) All fees shall be paid to the Town and collected by the Building Inspector.

(b) After the adoption of this by-law the sign permit fee shall be set by the Building Inspector.

D. Sign Types.

Definitions for sign types are found in the Bylaw definitions section, Article II.

TABLE VI-1E1. Permitted Sign Types

All Residential Districts

All Business and Professional Districts

PERMANENT SIGNS:

TABLE VI-1E2. Permitted Sign Uses

PERMANENT SIGNS				
SIGN USES:	All Residential Districts	Downtown Business	General Business	Industrial Districts
<u>Residential Identification Sign</u>	Y	Y	Y	Y
For Buildings with One- to Four-Family Dwelling Units:				
Maximum Size	1 sq. ft.	1 sq. ft.	1 sq. ft.	1 sq. ft.
Maximum Height	12 ft.	12 ft.	12 ft.	12 ft.
Number per Dwelling Unit	1	1		1
For Buildings with Five- or More Family Dwelling Units:				
Maximum Size	10 sq. ft.	10 sq. ft.	10 sq. ft.	10 sq. ft.
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.
Number per Development	1	1	1	1
Additional Condition:	Free-standing sign only	Free-standing sign only	Free-standing sign only	Free-standing sign only
<u>Home Occupation Sign</u>	Y	Y	Y	Y
Maximum Size	2 sq. ft.	2 sq. ft.	2 sq. ft.	2 sq. ft.
Maximum Height	4 ft.	4 ft.	4 ft.	4 ft.
Number per Dwelling Unit	1	1	1	1
<u>Residential Accessory Use Sign (Not including home occupations)</u>	Y	Y	Y	Y
Maximum Size	2 sq. ft.	2 sq. ft.	2 sq. ft.	2 sq. ft.
Maximum Height	4 ft.	4 ft.	4 ft.	4 ft.
Number	1	1	1	1
<u>Community Facility</u>	Y	Y	Y	Y
Maximum Size	10 sq. ft.	10 sq. ft.	10 sq. ft.	10 sq. ft.
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.
Number	1	1	1	1
<u>Agricultural Identification Sign</u>	Y	Y	Y	Y
Maximum Size	10 sq. ft.	10 sq. ft.	10 sq. ft.	10 sq. ft.
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.
Number	1	1	1	1
<u>Political Sign</u>	Y	Y	Y	Y
Maximum Size	6 sq. ft.	6 sq. ft.	6 sq. ft.	6 sq. ft.
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.

Number	No limit	No limit	No limit	No limit
<u>Signs for Nonconforming Uses</u> Signs for Nonconforming Uses must conform to the sign standards for the permitted sign use of similar conforming sign use	Y	Y	Y	Y
<u>Business Sign for Commercial, Retail or Service Use</u> Maximum Size Minimum Height Max. Ht. for Freestanding Sign Max. Ht. for Other Sign Types Minimum Setback from Lot Line Number Per Single Use Building Number Per Multi-Use Building - Per Business Use - Per Development	N	Y 40 sq. ft. 5 ft. 10 ft. 15 ft. None 2 1 1	Y 40 sq. ft. 5 ft. 15 ft. 17 ft. 10 ft. 2 1 1	Y 40 sq. ft. 5 ft. 15 ft. 17 ft. 10 ft. 2 1 1
<u>Business Sign for Wholesale, Transportation or Industrial Use</u> Maximum Size Max. Ht. for Freestanding Sign Max. Ht. for Other Sign Types Minimum Setback from Lot Line Number Per Single Use Building Number Per Multi-Use Building - Per Business Use - Per Development	N	N	N	Y 75 sq. ft. 15 ft. 20 ft. 25 ft. 2 1 1
<u>Traffic or Directional Signs of Governmental Body</u>	Y	Y	Y	Y
<u>Incidental Signs</u>	N	N	N	N

TEMPORARY USE				
SIGN USES:	All Residential Districts	Downtown Business	General Business	Industrial Districts
<u>For Sale, Rent or Lease Sign</u>	Y	Y	Y	Y
Maximum Size	4 sq. ft.	4 sq. ft.	4 sq. ft.	4 sq. ft.
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.
Number Per Permitted Use	1	1	1	1
<u>Architect, Engineer or Contractor Sign</u>	Y	Y	Y	Y
Maximum Size	4 sq. ft.	4 sq. ft.	4 sq. ft.	4 sq. ft.
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.
Maximum Number Per Lot	1	1	1	1
Minimum Setback From Lot Line	10 ft.	10 ft.	10 ft.	10 ft.
Max. Number Per Subdivision	1			
Minimum Setback From Lot Line	10 ft.			
<u>Special Event Signs</u>	Y	Y	Y	Y
Additional Condition:	Sign must be removed within 72 hours upon completion of the Special Event.			

Y = Permitted

F. Prohibited signs.

No person may erect a sign which:

1. No establishment shall have any flashing lights visible from the outside.
2. Flashes, rotates, or has motorized moving parts that are visible from a public street.
3. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety in the opinion of the Building Inspector by obstructing the vision of drivers, or detracting from the visibility of any traffic sign or control device on public streets and roads.
4. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way or which obstructs a window, door or other opening for providing light or air or interferes with property function of the building.
5. Any sign or sign structure which:
 - (a) Is structurally unsafe.
 - (b) Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment.
 - (c) Is not kept in good repair, or

(d) Is capable of causing electrical shocks to persons by direct contact or contact with it.

6. Signs which make use of words such as STOP, LOOK, DANGER, or other phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
7. String lights used in connection with commercial premises to commercial purposes other than Christmas decorations.
8. Spinners, and streamers except as specified in Temporary Sign, section.
9. Any sign now or hereafter existing which no longer advertises a business conducted or product sold. To be removed at owner's expense.
10. Is affixed to a fence, utility pole or structure, or tree, shrub, rock or other natural objects.

G. Variance.

An application for variance may be filed with the Board of Appeals as allowed in the Town of Ayer By-laws.

H. Maintenance.

Each sign shall be maintained in a secure and safe condition. If the Building Inspector is of the opinion that a sign is not secure, safe or in good state of repair, he shall give written notice of this fact to the person responsible for the maintenance of the sign. If the defect in the sign is not corrected within the time permitted by the Building Inspector, the Building Inspector may revoke the permit to maintain the sign”.

I. Nonconforming Signs.

Any sign or other advertising (billboard) devices heretofore legally erected may continue to be maintained, provided, however, that no such sign or other advertising device shall be permitted if it is enlarged.

Approved by Attorney General December 10, 1999.

Section 2, Flood Plain District

A. Purpose

The purposes of the Flood Plain District are to protect the public health safety and general welfare to protect human life and property from the hazards of periodic flooding to preserve the natural flood control characteristics and the flood storage capacity of the Flood Plain and to preserve and maintain the groundwater table and recharge areas within the flood plain

B. District Delineation.

The general boundaries of the Flood Plain District are shown on the Ayer Flood Insurance Rate Map (FIRM) dated July 19, 1982 as Zones A, A 1-30 to indicate the 100 year flood plain. The exact boundaries of the District are defined by the 100 year water surface elevation on the FIRM and further defined by the Flood Profiles contained on the Flood Insurance Study dated July 19, 1982. The floodway boundaries are delineated on the Ayer Flood Insurance

(d) Is capable of causing electrical shocks to persons in contact with it.

6. Signs which make use of words such as STOP, LOOK, DANGER, or phrases, symbols, or characters, in such a manner as to interfere with, mislead or confuse traffic.
7. String lights used in connection with commercial premises to commemorate events other than Christmas decorations.
8. Spinners, and streamers except as specified in Temporary Sign, section.
9. Any sign now or hereafter existing which no longer advertises a business conducted or product sold. To be removed at owner's expense.
10. Is affixed to a fence, utility pole or structure, or tree, shrub, rock or other natural objects.

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Robert Pontbriand

From: Susan Sullivan [planning@ayer.ma.us]
Sent: Friday, September 20, 2013 1:38 PM
To: Town Admin.
Subject: Planning Board meeting Sept 19th

The Planning Board voted 3-0 (unanimously) to support the Street acceptance on Town Meeting Floor if all of the requirements were met and approved by the DPW Superintendent.

Susan Sullivan
Town of Ayer
Planning Board Office Manager
Zoning Administrator
Notary Public
(978) 772-8218

DEPARTMENT OF PUBLIC WORKS

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



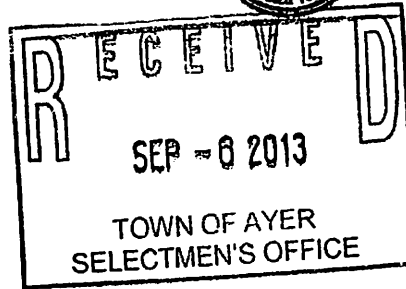
Water, Wastewater, Highway & Solid Waste Divisions

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

September 5, 2013

Town of Ayer Planning Board
Town Hall
Ayer, MA 01432

RE: Easy Street Acceptance



Dear Board Members :

The DPW performed a final inspection of Easy Street on September 4, 2013. In addition, we reviewed our documents related to the water and sewer pipe testing.

With the exceptions of the items listed below, the project is completed to the DPW's specifications. I will periodically review the status of these items and if not completed to the DPW's satisfaction prior to prior to Town meeting, I will make a final recommendation at the Fall Town Meeting.

Remaining Work Items:

1. Water
 - a. Paint hydrant
2. Sewer
 - a. Testing records indicate sewer and manhole testing was performed on April 17, 2007, the testing forms do not indicate that the testing was witnessed by the Town. In addition, MH Sta 0+27 was not tested. Prior to acceptance, the Developer must flush the sewer and the DPW will inspect all manholes.
3. Drainage
 - a. Install traps on all catch basin outlets as per detail sheet 8.
 - b. Clean all catch basins and manholes
4. Paving, curbing and sidewalks
 - a. Complete berm and sidewalk in front of lots 3,4,5
 - b. Repair / replace berm divots in front of lots 12, 13, 7,8
 - c. Complete final top coarse pavement
5. Provide record drawings of final layout, utilities, easements and other features

Should you have any questions or comments, please do not hesitate to contact this office.

Regards,
AYER PUBLIC WORKS DEPARTMENT

Mark L. Wetzel, P.E.
Superintendent



DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

Property Description

Easy Street

Ayer, Massachusetts

A parcel of land situated on the southerly side of Sandy Pond Road in the Town of Ayer; County of Middlesex; Commonwealth of Massachusetts and bounded and described as follows:

Beginning at a set concrete bound with a drill hole on the southerly side of Sandy Pond Road at Lot 13.

Thence Southeasterly and southerly by Lot 13 on a curve to the right having a radius of twenty five and 0/100 (25.00') feet, an arc distance of thirty eight and 19/100 (38.19') feet to nail set in a stone wall.

Thence S09°-47'-42"W by Lot 13 fifty one and 08/100 (51.08') feet to a set concrete bound with a drill hole.

Thence Southerly by Lot 13, Lot 12, Lot 11 and Lot 10 on a curve to the right having a radius of one thousand nine hundred seventy five and 0/100 (1975.00') feet, an arc distance of three hundred fifty four and 63/100 (354.63') feet to a set concrete bound with a drill hole.

Thence Southerly and southwesterly by Lot 10 & Lot 9 on a curve to the right having a radius of seventy and 0/100 (70.00') feet, an arc distance of sixty seven and 31/100 (67.31') feet to a nail set in a driveway.

Thence Southwesterly, southerly, southeasterly, easterly, northeasterly and northerly by Lot 10, Lot 9, Lot 8, Lot 7, Lot 6, Lot 5 and Lot 4 on a curve to the left having a radius of ninety two and 0/100 (92.00') feet, an arc distance of four hundred sixty two and 74/100 (462.74') feet to a set concrete bound with a drill hole.

Thence Northerly by Lot 4 on a curve to the right having a radius of seventy and 0/100 (70.00') feet, an arc distance of sixty four and 97/100 (64.97') feet to a set concrete bound with a drill hole.

Thence Northerly by Lot 4, Lot 3, Lot 2 and Lot 1 on a curve to the left having a radius of two thousand and twenty five and 0/100 (2025.00') feet, an arc distance of three hundred sixty six and 84/100 (366.84') feet to a set concrete bound with drill hole.

Thence N09°-47'-42"E by Lot 1 fifty and 82/100(50.82') feet to a drill hole set in a stone wall.

- Thence** Northerly and northeasterly on a curve to the right having a radius of twenty five and 0/100 (25.00') feet, an arc distance of thirty eight and 72/100 (38.72') feet to set concrete bound with a drill hole on the southerly side of Sandy Pond Road.
- Thence** N81°-28'-00"W by Sandy Pond Road twenty four and 60/100(24.60') feet to a point.
- Thence** Westerly by Sandy Pond Road on a curve to the right having a radius of one thousand one hundred twenty eight and 87/100 (1128.87') feet, an arc distance of seventy three and 79/100 (73.79') feet to the point of beginning.

Being shown on a plan entitled "Definitive Subdivision of Land in Ayer, Massachusetts entitled "Easy Street" prepared for owner and applicant R. D. Kanniard Homes, Inc." dated 4/07/2006 by David E. Ross Associates, Inc. and recorded at the Middlesex South District Registry of Deeds in Plan No.1393 of 2006.

DAVID E. ROSS ASSOCIATES, INC.

111 Fitchburg Road P.O. Box 368 Ayer, Massachusetts 01432-0368
978-772-6232 978-368-1065 978-448-3916 FAX 978-772-6258
Home Page: <http://www.davideross.com>

****DRAFT #1 (Prepared by R. Pontbriand, 8-30-2013)**

****DRAFT #2 (Prepared by R. Pontbriand 9-13-2013)**

****DRAFT #3 (Prepared by R. Pontbriand 9-25-2013)**

Town of Ayer



SPECIAL FALL TOWN MEETING WARRANT

Ayer Town Hall, Great Hall, 1 Main Street, Ayer, MA 01432

Monday, October 28, 2013, 7:00pm

Commonwealth of Massachusetts
Middlesex, ss.

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Elections and Affairs to meet at the Great Hall of the Ayer Town Hall located at 1 Main Street, Ayer, MA 01432 on Monday, the Twenty-Eighth (28th) day of October, 2013, at seven o'clock in the evening (7:00 p.m.) then and there to act on the following articles:

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

Given under our hands this ___ day of October AD 2013.

Pauline Conley, Chairman

Gary J. Luca, Vice-Chairman

Christopher R. Hillman, Clerk

James M. Fay, Member

Jannice L. Livingston, Member

The Ayer Board of Selectmen

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 11, 2013. We shall make every reasonable effort to assist you.

Large print version of the text of this warrant is available upon request.

ARTICLE 1: STABILIZATION FUND

To see if the Town will vote to transfer the sum of \$ _____ from available funds to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, or take any action thereon or in relation thereto.

[REQUESTED BY FIN COM]

NOTE: The Town Administrator met with the Fin Com Chair on 9-10-2013 and the intent of the Fin Com will be to use this Article to get the Annual Stabilization Amount up to 7% by transferring the approximate amount of \$200,000 from Free Cash into the Stabilization Account. This item will be further discussed at the Executive Bi-Board Meeting on 9-26-2013 at 7am

****[RECOMMENDED REMOVAL BY Bi-Board, T.A., Town Accountant on 9-26-2013]**

Sponsor: Finance Committee
Board of Selectmen:

Two-Thirds Vote Required

ARTICLE 2: TOWN HALL MAINTENANCE FUND

To see if the Town will vote to raise and appropriate the sum of \$ _____ from available funds to the Town Hall Maintenance Fund to be used for the purposes of maintenance projects and/or repairs to the Ayer Town Hall, or take any action thereon or in relation thereto.

[RECOMMENDED REMOVAL OF ARTICLE 2]

[MENTIONED at 8-22-2013 BOS MEETING]

NOTE: The Town Administrator met with the Facilities Maintenance Director on 9-13-2013 and he does not have any projects outside of the FY 2014 Budget and or Capital that would require funding from this Article at this time.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 3: DOWNTOWN STREET LIGHTS

To see if the Town will vote to raise and appropriate the sum of \$ _____ from available funds for the purposes of repairing and/or replacing the town-owned street lights in downtown in accordance with the DPW Superintendent’s Interim Street Lighting Plan, or take any action thereon or in relation thereto.

[BOS APPROVED PLAN TO BE FUNDED UP TO \$75,000 USING UDAG]

[RECOMMENDED REMOVAL OF ARTICLE 3]

[PLAN TO BE PRESENTED TO BOS ON 9-17-2013 INCLUDING COST]

NOTE: In the plan developed by the DPW Superintendent, the Town Administrator and the DPW Superintendent will respectfully request that the BOS authorize the use of UDAG Funds for the Downtown Street Lights. The primary reason being is that time is of the essence to get this plan in place. October 28th, Town Meeting is too late. The Town Administrator discussed

this on 9-10-2013 with the Fin Com Chair and he was in concurrence that this was the best course of action.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 4: UNION EMPLOYEE COMPENSATION STUDY

To see if the Town will vote to raise and appropriate the sum of \$ _____ from available funds for the Town to conduct a Union Employee Compensation Study, or take any action thereon or in relation thereto.

[REQUESTED BY FIN COM]

NOTE: The Town Administrator discussed this Article with the Fin Com Chair on 9-10-2013. It is the intent of the Fin Com for the Town to conduct a Union Employee Compensation Study. The Town Administrator has begun to solicit quotes as to what such a study would cost.

Sponsor: Finance Committee
Personnel Board:
Board of Selectmen:

Simple Majority Vote Required

ARTICLE 5: COMPREHENSIVE POND STUDY

To see if the Town will raise and appropriate the sum of \$ _____ from available funds for the purposes of conducting a comprehensive pond study as set forth by the Conservation Commission and Dam and Pond Committee, or take any action thereon or in relation thereto.

[DISCUSSED WITH CONS COM AT 8-22-2013 BOS MEETING]

NOTE: As a result of the 8-22-2013 BOS Meeting, the ConsCom and Dam and Pond Committee have since met and will advise the BOS on 9-17-2013 as to Next Steps regarding this Study. ConsCom and Dam and Pond advised BOS on 9-17-2013 that they are still working on this matter and will advise accordingly. Likelihood of FTM Article slim at this time but definitely for ATM.

Sponsor: Conservation Commission
Dam and Pond Committee:
Finance Committee:
Board of Selectmen:

Simple Majority Vote Required

ARTICLE 6: FORMER CENTRAL FIRE STATION

To see if the Town will accept and authorize the: [DETAIL TO BE INSERTED] as presented by the Ayer Board of Selection, or take any action thereon or in relation thereto.

[TOWN ADMINISTRATOR TO PREPARE DRAFT REPORT FOR BOS FOR 10-1-2013]

[FINAL RFPs DUE Friday, September 13, 2013, 5pm]

NOTE: Two individuals took out RFPs but no RFPs were officially returned by the deadline of Friday, September 13, 2013 at 5pm. Therefore it is the recommendation of the Town Administrator that this Article become a Report to Town Meeting which the Town Administrator will DRAFT for BOS consideration on Oct. 1, 2013.

Sponsor: Board of Selectmen
Finance Committee

Simple Majority Vote Required

**ARTICLE 7: COMMUNITY PRESERVATION COMMITTEE
ACQUISITION OF LAND: KOHLER PLACE**

To see if the Town will vote to authorize the use of Community Preservation Committee Funds in the amount of \$ _____ for the purposes of acquiring __ acres of land for the purposes of open space and conservation as set forth by the Community Preservation Act, or take any action thereon or in relation thereto.

[RECOMMENDED REMOVAL OF ARTICLE 7]

[BOS Authorized TA and Selectman Luca to Bring Back All Information to BOS]

NOTE: Selectman Luca and the Town Administrator met with the CPC on Wednesday, September 4, 2013 at 6pm. However the CPC did not have a quorum. There was an informal discussion with the CPC and a subsequent ES Discussion on 9-10-2013 with the BOS that though the Town remains interested in the Kohler Place Property, the Town must do its due diligence as well as the CPC. The timeline of October 28, 2013 is not feasible. Therefore work will continue on a Kohler Place Proposal for potential consideration at the May 2014 ATM. RECOMMEND THAT THIS ARTICLE BE REMOVED FROM THE FTM.

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

Simple Majority Vote Required

ARTICLE 8: PETITION FOR STREET ACCEPTANCE – EASY STREET

To see if the Town will vote to accept the layouts of the following street as a public way, the metes and bounds of which are on file in the Office of the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, fee interest or easement in such public ways and any and all easements related thereto, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen deems appropriate or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Planning Board:
Finance Committee:

Simple Majority Vote Required

NOTE: The Planning Board unanimously voted on 9-19-2013 to recommend the acceptance of Easy Street as a Public Way by Town Meeting subject to the completion of the work cited in DPW Supt. 9-5-2013 Memo. The BOS will be asked to Vote to accept on Oct. 1, 2013 under same conditions. Work will be completed. Final plans and layout officially submitted to Town Clerk for Public Review and Town Counsel Review.

ARTICLE 9: CRABTREE WASTEWATER PUMPING STATION

To see if the Town will raise and appropriate the sum of \$75,000.00 [ACTUAL] from the Wastewater Enterprise Fund Surplus for the purposes of replacing the Crabtree Wastewater Pumping Station or take any action thereon or in relation thereto.

[REQUESTED BY DPW SUPERINTENDENT WETZEL]

NOTE: See DPW Superintendent's 9-5-2013 Memo. The issues(s) of an exact sum and the issue(s) of a funding source remain to be resolved by the DPW Superintendent; Town Accountant; and Town Administrator as well as review/consultation with Fin Com.

Sponsor: Board of Selectmen
DPW Superintendent: Recommends
Finance Committee

ARTICLE 10: ADOPTION OF MGL CHAPTER 40, SECTION 8G (POLICE MUTUAL AID)

To see if the Town will vote to adopt and accept the provisions of Massachusetts General Law, Chapter 40, Section 8G (Police Mutual Aid) or take any action thereon or in relation thereto.

[REQUESTED BY POLICE CHIEF MURRAY]

NOTE: Town Administrator working with Town Counsel and Police Chief on the language for this Article to be completed by no later than 10-1-2013.

Sponsor: Board of Selectmen
Police Chief: Recommends

Simple Majority Vote Required

**ARTICLE 11: TIF (Tax Incremental Financing) Agreement Amendment for
Steward Health Care / Nashoba Valley Medical Center**

[REQUESTED BY MR. MAHER, ECONOMIC DEVELOPMENT]

NOTE: TIF Review Committee to meet on 9-26-2013 to discuss. BOS to discuss on 10-1-2013

Sponsor: Board of Selectmen
Fin Com:
TIF Review Committee:

Simple Majority Vote Required

**ARTICLE 12: MASSACHUSETTS GENERAL LAWS CHAPTER 59,
SECTION 5K – SENIOR WORK-OFF ABATEMENT
PROGRAM**

[ARTICLE NOT NEEDED, ATM Adopted in 2012]

NOTE: On 9-11-2013, Resident, Mr. Michel Pattenden submitted a request to the BOS to include an Article on the FTM for the implementation of a “Senior Work-Off Abatement Program”. Town Meeting adopted MGL Chapter 59, Section 5K at the May 2012 ATM. The Town has already adopted MGL Chapter 59, Section 5K at a previous ATM so it does not need to be adopted again. The Town Administrator did consult with the Town Accountant from Groton regarding their program. The Town needs to implement the program as adopted by the BOS previously and approved by ATM. The outstanding issue is that the IRS considers the value of the abatement received to be reportable income for federal income tax purposes (although the State does not). Therefore, participating senior citizens must be set up to receive a W-2 at year end, and must have Medicare taxes and OBRA deducted from the value of the abatement. This is what put a hold on implementation and was most discouraging to many potential participants. Further Town Meeting action is not needed. Authorization from the BOS to proceed with implementation is all that is required.

**ARTICLE 13: TRANSFER(S) FROM CAPITAL STABILIZATION : Town-
Wide Telephone Upgrade**

To see if the Town will vote to transfer the sum of up to \$45,000.00 from the Capital Stabilization Fund for the purposes of upgrading the Town’s telephone system for the DPW, Library, Police, and Town Hall.

Sponsor: Board of Selectmen
Fin Com:
Capital Planning Committee: Recommends (Voted 9-18-2013 to Recommend)

Two-Thirds Vote Required

ARTICLE 14: TRANSFER ARTICLE FROM BOS PERSONNEL TO I.T. DEPARTMENTAL BUDGET

[At the Recommendation of the I.T. Committee, the BOS voted on 9-17-2013 at the offer of Selectman Conley to request from FTM the transfer of the BOS Chairman's Stipend from the BOS Personnel Account to the I.T. Departmental Budget for the purposes of partially funding the Town Hall Mondopad (a computerized video screen and stand)]

****[Bi Board Recommends on 9-26-2013, one Article to include BOS Chair Stipend and Balance from Capital Stabilization for the Mondopad]****

To see if the Town will vote to transfer the sum of \$_____ from Board of Selectmen Personnel Budget to the I.T. Departmental Budget for the purposes of partially funding the Town Hall Mondopad (computerized video screen and stand) for Town Hall.

Sponsor: Board of Selectmen
Fin Com:

Two-Thirds Vote Required

ARTICLE 15: REPORT ON COLLECTIVE BARGAINING AGREEMENTS

To see if the Town will vote to hear a report on the Town's Collective Bargaining Agreements, or take any action thereon or in relation thereto.

[RECOMMENDED BY TA IN EVENT CBA's ARE NOT FINALIZED TO UPDATE TOWN]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 16: RATIFY DPW UNION CONTRACT – DPW EMPLOYEES

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the AFSCME 93, Local 1703, Ayer DPW Workers or take any other action thereon or in relation thereto.

[NEGOTIATIONS COMPLETED WITH MOA 9-18-2013. UNION RATIFIED]

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$_____)

**ARTICLE 17: RATIFY FIRE UNION CONTRACT –
FIREFIGHTERS**

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the Ayer Firefighters Local #2544 or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

**ARTICLE 18: RATIFY UNION CONTRACT - POLICE
PATROLMEN**

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the APPOA Police Patrolmen or take any other action thereon or in relation thereto.

**[FINAL ARBITRATION BRIEFS SUBMITTED 9-17-2013; FINAL DECISION
ANTICIPATED ON OR ABOUT 10-17-2013]**

[PLACEHOLDER: ARBITRATION ON-GOING]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

ARTICLE 19: RATIFY UNION CONTRACT – POLICE SUPERIORS

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the NEPBA Police Superiors or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

CITIZEN'S PETITION

[A Citizen's Petition was filed with the Town Clerk on Friday, September 13, 2013 prior to the 5pm Deadline. The Petition is for the placement of a Crosswalk on Park Street. The Town Administrator is working with the Town Clerk and Town Counsel to determine if the Citizen's Petition has enough signatures to be legally placed on the Warrant.]

[Town Counsel to Provide Opinion by September 30, 2013)

A True Copy Attest: _____ **Date:** _____
John C. Canney, II
Town Clerk/Tax Collector

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

_____ **Date:** _____
Robert D. Friedrich, Constable

****DRAFT #1 (Prepared by R. Pontbriand, 8-30-2013)**

****DRAFT #2 (Prepared by R. Pontbriand 9-13-2013)**

****DRAFT #3 (Prepared by R. Pontbriand 9-25-2013)**

****DRAFT #4 (Prepared by R. Pontbriand 9-27-2013)**

Town of Ayer



SPECIAL FALL TOWN MEETING WARRANT

Ayer Town Hall, Great Hall, 1 Main Street, Ayer, MA 01432

Monday, October 28, 2013, 7:00pm

Commonwealth of Massachusetts

Middlesex, ss.

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Elections and Affairs to meet at the Great Hall of the Ayer Town Hall located at 1 Main Street, Ayer, MA 01432 on Monday, the Twenty-Eighth (28th) day of October, 2013, at seven o'clock in the evening (7:00 p.m.) then and there to act on the following articles:

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

Given under our hands this ___ day of October AD 2013.

Pauline Conley, Chairman

Gary J. Luca, Vice-Chairman

Christopher R. Hillman, Clerk

James M. Fay, Member

Jannice L. Livingston, Member
The Ayer Board of Selectmen

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 11, 2013. We shall make every reasonable effort to assist you.

Large print version of the text of this warrant is available upon request.

ARTICLE 1: UNION EMPLOYEE COMPENSATION STUDY

To see if the Town will vote to raise and appropriate the sum of \$4,000.00 from available funds for the Town to conduct a Union Employee Compensation Study, or take any action thereon or in relation thereto.

[REQUESTED BY FIN COM]

NOTE: At the 9-26-2013 Bi-Board this Article was discussed and questioned. The Fin Com has requested that it stay on for now. The TA has estimated the cost of such a study to be approximately \$4,000 and is soliciting three quotes.

NOTE: The Town Administrator discussed this Article with the Fin Com Chair on 9-10-2013. It is the intent of the Fin Com for the Town to conduct a Union Employee Compensation Study. The Town Administrator has begun to solicit quotes as to what such a study would cost.

Sponsor: Finance Committee
Personnel Board:
Board of Selectmen:

Simple Majority Vote Required

ARTICLE 2: FORMER CENTRAL FIRE STATION

To see if the Town will accept and authorize the: [DETAIL TO BE INSERTED] as presented by the Ayer Board of Selection, or take any action thereon or in relation thereto.

NOTE: At the 9-17-2013 BOS Meeting, the BOS has instructed the TA to prepare a Warrant Article that in addition to giving a brief report to FTM would include the language requesting authorization to dispose of the Former Central Fires Station be vested in the BOS. Language being developed.

[TOWN ADMINISTRATOR TO PREPARE DRAFT REPORT FOR BOS FOR 10-1-2013]
[FINAL RFPs DUE Friday, September 13, 2013, 5pm]

NOTE: Two individuals took out RFPs but no RFPs were officially returned by the deadline of Friday, September 13, 2013 at 5pm. Therefore it is the recommendation of the Town Administrator that this Article become a Report to Town Meeting which the Town Administrator will DRAFT for BOS consideration on Oct. 1, 2013.

Sponsor: Board of Selectmen
Finance Committee

Simple Majority Vote Required

ARTICLE 3: PETITION FOR STREET ACCEPTANCE – EASY STREET

To see if the Town will vote to accept the layouts of the following street as a public way, the metes and bounds of which are on file in the Office of the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, fee interest or easement in such public ways and any and all easements related thereto, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen deems appropriate or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Planning Board:
Finance Committee:

Simple Majority Vote Required

NOTE: The Planning Board unanimously voted on 9-19-2013 to recommend the acceptance of Easy Street as a Public Way by Town Meeting subject to the completion of the work cited in DPW Supt. 9-5-2013 Memo. The BOS will be asked to Vote to accept on Oct. 1, 2013 under same conditions. Work will be completed. Final plans and layout officially submitted to Town Clerk for Public Review and Town Counsel Review.

ARTICLE 4: CRABTREE WASTEWATER PUMPING STATION

To see if the Town will raise and appropriate the sum of \$75,000.00 [ACTUAL] from the Wastewater Enterprise Fund Surplus for the purposes of replacing the Crabtree Wastewater Pumping Station or take any action thereon or in relation thereto.

[REQUESTED BY DPW SUPERINTENDENT WETZEL]

NOTE: See DPW Superintendent's 9-5-2013 Memo. The issues(s) of an exact sum and the issue(s) of a funding source remain to be resolved by the DPW Superintendent; Town Accountant; and Town Administrator as well as review/consultation with Fin Com.

Sponsor: Board of Selectmen
DPW Superintendent: Recommends
Finance Committee

Simple Majority Vote Required

ARTICLE 5: ADOPTION OF MGL CHAPTER 40, SECTION 8G (POLICE MUTUAL AID)

To see if the Town will vote to adopt and accept the provisions of Massachusetts General Law, Chapter 40, Section 8G (Police Mutual Aid) or take any action thereon or in relation thereto.

[REQUESTED BY POLICE CHIEF MURRAY]

NOTE: Town Administrator working with Town Counsel and Police Chief on the language for this Article to be completed by no later than 10-1-2013.

Sponsor: Board of Selectmen
Police Chief: Recommends

Simple Majority Vote Required

ARTICLE 6: TRANSFER(S) FROM CAPITAL STABILIZATION : Town-Wide Telephone Upgrade

To see if the Town will vote to transfer the sum of up to \$45,000.00 from the Capital Stabilization Fund for the purposes of upgrading the Town's telephone system for the DPW, Library, Police, and Town Hall.

Sponsor: Board of Selectmen
Fin Com:
Capital Planning Committee: Recommends (Voted 9-18-2013 to Recommend)

Two-Thirds Vote Required

ARTICLE 7: TRANSFER ARTICLE FROM BOS PERSONNEL TO I.T. DEPARTMENTAL BUDGET

[At the Recommendation of the I.T. Committee, the BOS voted on 9-17-2013 at the offer of Selectman Conley to request from FTM the transfer of the BOS Chairman's Stipend from the BOS Personnel Account to the I.T. Departmental Budget for the purposes of partially funding the Town Hall Mondopad (a computerized video screen and stand)]

****[Bi Board Recommends on 9-26-2013, one Article to include BOS Chair Stipend and Balance from Capital Stabilization for the Mondopad]****

To see if the Town will vote to transfer the sum of \$ _____ from Board of Selectmen Personnel Budget to the I.T. Departmental Budget and vote to transfer the sum of \$ _____ from Capital Stabilization for the purposes of partially funding the Town Hall Mondopad (computerized video screen and stand) for Town Hall.

Sponsor: Board of Selectmen
Fin Com:

Two-Thirds Vote Required

ARTICLE 8: REPORT ON COLLECTIVE BARGAINING AGREEMENTS

To see if the Town will vote to hear a report on the Town's Collective Bargaining Agreements, or take any action thereon or in relation thereto.

[RECOMMENDED BY TA IN EVENT CBA's ARE NOT FINALIZED TO UPDATE TOWN]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 9: RATIFY DPW UNION CONTRACT – DPW EMPLOYEES

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the AFSCME 93, Local 1703, Ayer DPW Workers or take any other action thereon or in relation thereto.

[NEGOTIATIONS COMPLETED WITH MOA 9-18-2013. UNION RATIFIED]

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$_____)

ARTICLE 10: RATIFY FIRE UNION CONTRACT – FIREFIGHTERS

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the Ayer Firefighters Local #2544 or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$_____)

ARTICLE 11: RATIFY UNION CONTRACT - POLICE PATROLMEN

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the APPOA Police Patrolmen or take any other action thereon or in relation thereto.

[FINAL ARBITRATION BRIEFS SUBMITTED 9-17-2013; FINAL DECISION ANTICIPATED ON OR ABOUT 10-17-2013]

[PLACEHOLDER: ARBITRATION ON-GOING]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$_____)

ARTICLE 12: RATIFY UNION CONTRACT – POLICE SUPERIORS

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2013 thru June 30, 2016 between the Town and the NEPBA Police Superiors or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

CITIZEN’S PETITION ARTICLE

[A Citizen’s Petition was filed with the Town Clerk on Friday, September 13, 2013 prior to the 5pm Deadline. The Petition is for the placement of a Crosswalk on Park Street. The Town Administrator is working with the Town Clerk and Town Counsel to determine if the Citizen’s Petition has enough signatures to be legally placed on the Warrant.]

[Town Counsel to Provide Opinion by September 30, 2013)

A True Copy Attest: _____ **Date:** _____
John C. Canney, II
Town Clerk/Tax Collector

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

_____ **Date:** _____
Robert D. Friedrich, Constable

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: September 5, 2013

TO: Ayer Board of Selectmen
CC: Ms. Janet Lewis, Selectmen's Secretary

FROM: Robert A. Pontbriand, Town Administrator

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

SUBJECT: Town Administrator's Policy Protocols Regarding Electronic Communications

Dear Honorable Selectmen,

I want to first thank you for the time on your meeting agenda for September 3, 2013 to discuss my concern(s)/issue(s) with the use of electronic communications between the Board, the Town Administrator and the Department Heads. Though it was a positive, candid discussion, respectfully, no real consensus on direction, guidance, and/or policy from the Board materialized for moving forward and concern(s) and issue(s) still remain.

Therefore, I am respectfully presenting you with what will be the Town Administrator's Policy Protocols Regarding Electronic Communications with respect to the Board effective immediately:

1. The Ayerbos@ayer.ma.us Account will only strictly be used by the Town Administrator for the scheduling of meetings; dissemination/distribution of documents in electronic format; and/or emergency notifications.
2. Given the volume of e-mails the Town Administrator receives from all sources on a given day, the Town Administrator will respond to non-urgent e-mails from Selectmen within forty-eight (48) hours of receipt.
3. Given the time required to properly and accurately assemble the Board's Meeting Packets, the Town Administrator will not respond to Selectmen e-mail on the Fridays before Board Meetings.
4. The Town Administrator respectfully requests that any and all e-mails sent to Department Heads be copied to the Town Administrator. The practice of Selectmen e-mailing Department Heads respectfully should be used at a minimum and for only the purposes of seeking information and/or asking a question. The Town Administrator will weekly, provide hard copies of any such e-mails in the boxes of each Selectmen so that everyone has the same information.

5. Effective immediately, the Town Administrator will not respond to any texting and/or instant messaging from Selectmen. The Board is respectfully requested to practice the same since the issue(s) surrounding OML and Public Records with respect to texting and/or instant messaging are very vague and the potential implications concerning.
6. The Town Administrator respectfully requests that the Board strongly consider only accessing the Board Packet electronically on the web-site and print the sections they may want for the meeting. In the event that you want something specific in hard copy, Janet can also print that out. The amount of time and effort as well as cost put into the physical production of the packets is considerable and more often than not, a majority of the packets sit in the BOS Office until the respective meeting commences. I would like this item to be put on a future BOS Agenda for further discussion. Of course, a hard copy packet will be produced for a Selectman if requested.
7. In terms of managing a more effective work schedule, the Town Administrator would respectfully like the Board to consider the establishment of a scheduled thirty (30) minute time period of individual Selectman to meet with the Town Administrator. This can be done either in the Town Administrator's Office during normal working hours (8:30am-6:00pm) or by telephone during normal working hours.
8. The Town Administrator as a practice will not respond to Selectmen e-mail after 6pm during business hours (M-F) and will not respond to Selectmen e-mail on Saturdays, Sundays, and Holidays. Please note that in the event of an emergency, the Fire Chief, Police Chief, and DPW Superintendent all have my contact information and will contact me. In the event of a Town-related emergency (as I have always done), I will contact the Board using Ayerbos@ayer.ma.us.

These Town Administrator Policy Protocols Regarding Electronic Communications will go into effect as of September 5, 2013. If you have any questions or concerns, please do not hesitate to contact me. Furthermore, I welcome and additional ideas and/or suggestions.

Finally, the Town Administrator understands and respects the Board of Selectmen's official decision to instruct the Town Administrator regarding any changes to these protocols that the Board and Town Administrator mutually discuss and agree to.

Thank you for your time and consideration.

Sincerely,



Robert A. Pontbriand
Town Administrator

BOS POLICIES AND PROCEDURES REVIEW AND UPDATE (On-Going)

- **Final Review and Update of BOS Policy 99-27 (2001)** (Please bring your copy of the BOS Policies and Procedures)
- **Review of BOS Policy 01-01** (Please bring your copy of the BOS Policies and Procedures)
- **Review of BOS Policy 99-24 Minutes** (See Enclosed)

The agenda shall be available to the public and the press at the Selectmen's office at least two days before the meeting date and shall be posted at the Town Office bulletin board, the library bulletin board and on the cable access channel that same afternoon.

Copies of the minutes of the previous meeting and all important correspondence, reports and other pertinent background materials shall be forwarded with the agenda to Board members.

The Board shall not begin discussion of or act on an agenda item after 10:00 P.M. of a regularly scheduled meeting. This rule may be waived by a unanimous vote.

99-24: MINUTES:

The Secretary shall record open meetings of the Board by tape recorder, and he/she shall draft minutes from the tape.

Minutes shall be circulated to the Town Administrator and members of the Board on or before the fourth day after the meeting and shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

Minutes shall contain a full statement of all motions made and voted by the Board and of the disposition of all proposals for action. Approved minutes shall be signed by the Clerk and recorded in a Minutes Book which shall be bound annually.

Minutes of Executive Sessions shall be recorded by the Town Administrator, approved by the board, signed by the Clerk and kept by the Town Administrator in accordance with the above procedures.

Minutes are open for public inspection as provided for by law.

99-25: APPOINTMENTS:

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case, may appointments be made for more than three years unless specifically allowed by state law. Appointments generally are made on or before June 30th of each year. In the case of appointments, a second to the nomination or motion will be required prior to Board action.

Employee Appointments: Employee appointments shall be made with a recommendation from the Town Administrator and as per the Town of Ayer Personnel Policies and Procedures Manual.

Committee Appointments: Whenever possible the Board will seek variety in backgrounds, interests, ages, sex and geographic areas of residents, so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable. Vacancies could be advertised

JBOS UPDATE

Selectman Luca will provide a brief update of JBOS including the following items:

- **Devens Transition & Integration Matrix** (See Enclosed)
- **Selection of BOS Alternative Representative to JBOS**

Devens Transition & Integration Matrix

Jurisdiction over the lands within the Devens Regional Enterprise Zone (DREZ) shall remain with the respective towns.

The DREZ will be maintained as a distinct entity that will act as an overlay district within the towns and transcending geographical boundaries.

The current zoning within the DREZ shall remain in force through the Transition Period (to be defined) unless modified in accordance with the provisions of Chapter 498.

MassDevelopment will continue to serve as the development entity for the DREZ through the Transition Period.

The Devens Enterprise Commission (DEC) shall continue to serve as planning and approval authority in the DREZ through the Transition Period.

The Stakeholder Communities of Devens, Ayer, Shirley & Harvard (DASH) shall establish a governing council comprised of members elected from the respective communities. The council shall provide financial, administrative and management oversight during the Transition Period, and shall be responsible for the duties thereafter.

Residents living in the DREZ shall be citizens of the town in which they reside based on geographical boundaries.

School children residing in the DREZ shall have the option of attending the school of their choice within the Stakeholder Communities based on established enrollment limits set by the towns. The towns will be compensated for the cost per pupil in as shown on Schedule 19 of their End of Year Reports.

The DASH communities will commence a program of cooperative curriculum development, professional development, special education coordination, course sharing and senior administration of the schools.

The DASH communities will immediately embark on the exploration of cooperative use and management of the following municipal services:

Police

Fire

Dispatch

Ambulance

DPW

DPU

Assessing

Finance

Code Enforcement

Recreation

Other

All public utilities within the DREZ, including gas, electric, sewer and water shall be developed and managed in such a way as to provide the opportunity for services to all of the DASH communities.

BOS OPEN DISCUSSION

- Times on the BOS Agenda (Selectman Fay)
- Landscaping of Memorial Garden Next to Town Hall (Selectman Hillman)
- Construction and Placement of a Town Gazebo (Selectman Hillman)
- Electronic Devices for BOS Meetings (Selectman Luca)
- Purchasing of Street Lights (Selectman Luca)

FUTURE TOPICS/MEETING SCHEDULE

- Fri. Oct. 11, 2013, 12pm (noon) Final Deadline for Fall Town Meeting Warrant
- Tues. Oct. 15, 2013, 7pm, BOS Regular Meeting
- Mon. Oct. 28, 2013, 7pm, Special Fall Town Meeting (Great Hall)
- Tues. Nov. 5, 2013, 7am-8pm, Special Town Election
- Discussion on BOS November 2013 Meeting Schedule

FUTURE TOPICS: Review and Release of ES Minutes; Tax Classification Hearing 12/3/2013; Review and Update on BOS and TA Goals for 2013-2014; Curbside Trash Pick-Up; BOS License Renewals (Dec. 2013); Code of Conduct; Review of Final Non-Union Compensation/Classification Study; FY 2015 Budget; Water and Sewer Rate Public Hearing (Feb 2014); Other Future Topics...

ADJOURNMENT