



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

Tuesday, November 12, 2013, 7pm

Meeting Agenda

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

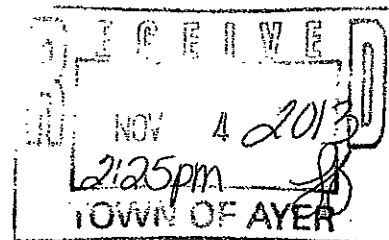
7:10pm **APPROVAL OF MEETING MINUTES: 9/17/13; 10/1/13; 10/8/13; 10/15/13**

7:15pm **PUBLIC INPUT**

7:20pm **PERSONNEL**

- Appointment of COA Board Member
- Assistant Building Inspector Position/Hiring Update

7:25pm **PUBLIC HEARING: PH Lorden, Flammable Materials**



7:35pm **PUBLIC HEARING (Continued): Partridge, Class II License Amendment**

7:45pm **POLICE CHIEF WILLIAM MURRAY**

- Middlesex County Interagency Mutual Aid Agreement

8:00pm **MR. DAVID MAHER, ECONOMIC AND COMMUNITY DEVELOPMENT**

- Drug Court Grant
- Habitat for Humanity Project Status Update
- TIF Update

8:15pm **MR. MARK WETZEL, DPW SUPERINTENDENT**

- Crabtree Wastewater Pumping Station Upgrade \$64,538.00
- MassDEP Technical Services Assistance – Evaluation of Curbside Trash / Recycling
- Update on Town Street Sign Project
- Update on Main Street Lighting Project
- Water Main Capital Improvement Program Discussion

8:45pm **2014 ALCOHOL LICENSE APPLICATION RENEWALS**

9:00pm **TOWN ADMINISTRATOR'S REPORT**

- St. Mary's One Day Beer and Wine License
- APPOA Dispatchers FY 2014 Wage Reopener MOA
- Town-Wide Phone System Upgrade Update
- Old Fire Station Disposition Process
- Town-Wide Cell Phone Inventory/Policy
- BOS Meeting Agenda Format Samples

9:30pm **BOS OPEN DISCUSSION**

- Town Counsel RFP (Selectman Hillman)
- Remote Participation at Meetings (Selectman Luca)

10:00pm **ADJOURNMENT**

Town of Ayer
BOARD OF SELECTMEN

Meeting Packet For
Tuesday, November 12, 2013, 7pm
Ayer Town Hall

CALL TO ORDER

Review, Amend & Approve Agenda

Announcements:

- Town of Ayer Winter Parking Ban is in Effect from Midnight to 6:00am from Nov. 15, 2013 thru April 15, 2014
- Tuesday, November 19, 2013, 7pm, Special BOS Meeting to Hear Presentations from Entities Seeking to Locate in Ayer RE: Medical Marijuana
- Sunday, December 1, 2013, 6pm, Rotary Holiday Lighting
- Tuesday, December 3, 2013, 7pm, Tax Classification Hearing

APPROVAL OF MEETING MINUTES

- September 17, 2013
- October 1, 2013
- October 8, 2013
- October 15, 2013

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, September 17, 2013
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

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

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

Chairman Conley called the meeting to order at 7:06p.m. Present: Chairman-Pauline Conley, Gary J. Luca-Vice Chairman, Christopher Hillman-Clerk, James Fay-Member, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. .

Ms. Conley requested if there were any amendments to the Agenda of September 17, 2013 and announced Representative Sheila Harrington being present this evening to meet with the Board re quarterly Legislative Update.

Mr. Pontbriand requested the Board take up the Recycling Committee Appointments before the Minutes on the Agenda due to the Recycling Com. meeting this evening. Mr. Pontbriand updated the Board to Fire Dept. Engine # 4 Contract Award for refurbishing correction -new contract price being \$141,894.00 not \$139,469 as printed on the Agenda. Mr. Pontbriand advised the Board to CPC Appointment of Jeremy Callahan being withdrawn due to a formal concern being raised with respect to potential Court Order currently still in effect. Mr. Pontbriand also advised the Board to Easy Street's "Street Acceptance" taken off from under his report due to Planning Board procedural issues. (Remote Participation-not adopted by Town of Ayer). Mr. Pontbriand advised the Board to Planning Board meeting on 9-19-13 to revote Easy Street's "Street Acceptance".

Mr. Luca requested replacement of the Board's current binder/notebooks with iPads/ laptops, and to discuss cell phones-which employees have and don't have and money spent on cell phones.

Ms. Conley- requesting to discuss Columbia & Main Street intersection.

Chairman Conley called for a motion to approve the Agenda as amended. Motion to approve the Agenda as amended made by Mr. Luca, 2nd by Mr. Fay, V OTE: unanimous, so moved.

Representative Sheila Harrington-Rep. Harrington met with the Board for approximately an hour and spoke to re lack of activity on Beacon Hill and not a lot going on at the state House. Rep. Harrington updated the Board re the following:

- Nashoba Valley Chamber of Commerce re appeal of Sales/Gas Tax - Hurting business.
- Chapter 70/90 Funding.
- Probate Court House in Town of Ayer
- Not supporting current state Budget as written
- EBT Benefits- fraud

Announcements-

1. ASRHS Ground Breaking Thursday, September 19, 2013 at 12:00 noon.
2. Habitat for Humanity-76 Central Avenue property-Local Planning Committee Meeting on Tuesday, September 24, 2013 at 7:00p.m. at the Ayer Town Hall, 2nd Floor Great Hall.
3. Bi-Board Meeting Friday, September 26, 2013 at 7:00a.m. 1st floor Meeting Room, Town Hall

Recycling Committee Appointments-The Board met with Laurie Sabol who introduced and gave a brief background of the three (3) candidates seeking to be appointed to the Recycling Com. recommending Mr. Daniel DeMille, Ms. Shawna Graham and Melissa Macdonald are appointed to the Recycling Committee. Mr. Luca moved the three (3) year appointments of Daniel DeMille, Shawna Graham and Melissa Macdonald to the Recycling Committee effective 6-30-13 to 7-1-16, 2nd by Mr. Fay VOTE: unanimous, so moved.

Minutes -Mr. Luca moved the Board vote to approve the amended minutes of 8-22-13, 2nd by Mr. Fay for discussion, who requested edits be submitted from the Chair more timely ,and requested time to review edits motion withdrawn.

9-3-13 Minutes passed upon.

Public Input-Mr. Pontbriand reviewed with the Board Policy 13-01 which includes accepting Public Input via email, letters, etc. and Public Input Binder to be kept in Selectmen's Office and Town Administrator to respond to emails electronically.

- Mr. Chuck King President of the Downtown Business Alliance took this opportunity to invite everyone to the last Antique Car Show of the season on September 18, 2013 from 5:30p. m. to 8:00p.m. at Depot Sq.

Council on Aging Job Posting-Admin/Outreach Coordinator-The Board voted to approve and authorize the posting of the COA Administrative and Outreach Coordinator's position in accordance with the provisions set forth in the CBA between the Town of Ayer and AFSCME 93. Posting internally by 9-18-13 and closed on 9-24-13, funding with-in Fy-14 Budget. Motion to approve made by Mr. Luca, 2nd by Mr. Hillman. Ms. Conley requesting copy of Personnel By-law re Article #22 Section 3 language be verified by Town Counsel re compliance. VOTE: unanimous, so moved.

Sandy Stepczynski, President -Human Resources Services Inc. (HRA)-Progress Report Non-Union Classification/Compensation Study

Ms Stepczynski updated the Board to meeting with all the non-union employees and Job Descriptions in process, salary scale to be evaluated/methodology using the point system (Benchmark to Mkt). Ms. Stepczynski spoke to the Board's concern re delay in the three (3) month study due on September 1, 2013 being a little premature given the volume of work, staffing issues, timing i.e. vacation/s. Ms. Conley questioned additional job description for Asst. Town Administrator and advised by Ms. Stepczynski to not being requested. Mr. Luca stating his concern re Compensation Plan being intended to be included in the October Town Meeting Warrant and study will not be ready until November 2013 for Board's review & deliberation. Mr. Pontbriand advising to receipt of Study in October -good timing for Budget Planning for the Spring Town Meeting (hard copy and electronic copy of analysis to be provided to Town by HR Services Inc.) (see attached HR project update).

Fire Chief Robert Pedrazzi & John Regan -Greenwood Emergency Vehicles-Chief Pedrazzi reviewed with the Board the contract for the refurbishment of pumper for Engine #4 with three (3) options included: back-up camera system installed, LED scene lights heads upgrade and Cross lay covers installed funding appropriated at the 5-13-13 ATM. Chief Pedrazzi advising to Town Counsel reviewing and approving contract documentation. Present for the discussion John Regan of Greenwood Emergency Vehicles. Mr. Regan requesting Insurance Exemption is eliminated contract including Bid Bonding. Mr. Luca moved to approve the Chief's recommendation and award the pumper for Engine #4 with three options to Greenwood Emergency Vehicles for the bid award not to exceed \$141,894.00, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Conservation Commission and Dam & Pond Committee re Comprehensive Pond Study, Present for the discussion- Bill Daniels, Con-Com Chairman, Jessica Gugino, Tashi Tada and Dam & Pond Committee members Dan Rzasa, Chuck Miller and Marina Giova. Mr. Daniels advised the Board to Con-Com and Dam & Pond Committee meeting and coming to consensus to GEOSyntech the most qualified RFQ for the comprehensive pond study. Mr. Daniels and Mr. Miller reviewed the cost proposal with the Board as well as next steps in process:

base line per pond: \$2,952

Pollutants/per pond: \$2,800 to \$7,200

aquatic per pond: \$2,424 total RFQ \$31K Article for Town Meeting Funding. The Board agreed project is viable to go forward, DPW eager to participate - citing storm water advantages. The Board stated their concerns if study would make FTM citing funding proposal/s incomplete need outside funding source/s. If study does not make FTM it would be on ATM in May 2014 giving the two groups time to tie up resources to fund proposal. Chairman Conley offering Board's endorsement for effort and requested GEOSyntect electronic version be placed on Town's website for residents.

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

IT Committee Appointments- Mr. Pontbriand recommended the one (1) year appointments of Lt. Brian Gill representing the Ayer Police Department and Captain Timothy Taylor replacing Chief Robert

Pedrazzi on the Ayer Fire Department effective July 1, 2013 to June 30, 2014. Mr. Fay moved the Board's appointment of Brian Gill so stated by Mr. Pontbriand, 2nd by Mr. Luca, VOTE: unanimous, so moved. Mr. Luca moved the appointment of Timothy Taylor replacing Chief Pedrazzi on the Ayer Fire Dept, so stated by Mr. Pontbriand, 2nd by Mr. Fay. VOTE: unanimous, so moved.

Energy Committee-Green Communities Committee-Mr. Pontbriand updated the Board to their voting in June 2013 to consolidate the two committees not viable and advised to keep two committees separate, re grant funding opportunities, no action required.

Easy Street-Street Acceptance-taken off agenda moved to Selectmen's 10-1-13 Meeting. Mr. Pontbriand advising to Planning Board taking "Remote Participation Vote" which has not been approved by the Town and Planning Board advised to reschedule another meeting to vote their approval. The Board was advised to Planning Board meeting on 9-19-13 to revote Easy Street- Street Approval. the Board requested all Town Boards, Committees and Commissioner be sent Memo notifying them of Town not approving Remote Participation.

Street Lights-The Board voted to approve Supt. Wetzel's recommendation re the Interim Downtown Street Light Proposal per his Memo dated 9-13-13 for replacement of ten(10) new lights at a cost of approximately \$76K citing safety issues Board's number one concern, funding from UDAG with any energy rebates/savings be put back to replenish UDAG and authorize Ms. Conley to contact Insurance Company re Street Light damage reimbursement to the Town. Mr. Pontbriand addressed his concerns re availability of funding coming from Free Cash timing as the project is out to bid presently and FTM schedule tight i.e. printing of Warrant, etc. Mr. Fay moved the motion and amendment, 2nd by Mr. Luca, VOTE: unanimous, so moved.

10-28-13 Special Fall Town Meeting-Mr. Pontbriand updated the Board to Bi-Board meeting on 9-26-13 re review of the financial articles on the warrant.

Article 6- Fire Station Mr. Pontbriand presented Draft 2of the FTM Warrant to the Board and advised the Board to two RFP's pulled but not returned, no responses on 9-13-13 Bid Opening. Mr. Pontbriand stating all venues have been exhausted re rehab of Fire Station and recommending Town Meeting be authorized to dispose-decide final disposition of the building.

Mr. Pontbriand updated the Board to Citizen's Petition received from resident re reinstating the SHAVE Program for inclusion on the 10-28-13 FTM Warrant. Mr. Pontbriand requested the Board review Draft Warrant #2 and respond with issues/edits back to him.

Policies: Posting of Meeting Minutes to the Web-site

IT Hardware/Software Acquisition

Acquisition of furniture, equipment-Alterations to Town Hall

Town Administrator's electronic Communications

Remote Participation-for Public Meetings

Mr. Pontbriand reviewed the above policies implementation with the Board for their review and consideration. Mr. Luca requesting Mr. Pontbriand place the policies on the Board's 10-1-13 Agenda and place them on the Town's web-site.

10:03p.m. Mr. Luca moved the Board extend their meeting for ten (10) minutes, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Video in the Board of Selectmen's Meeting Room-The Board met with Cindy Knox IT Director-Ms. Knox reviewed with the Board several proposals for the Board's consideration and outlined major limiting factors of two of the proposals, i.e. high cost opening walls for cable/electrical estimated at \$15k-\$18K and Option #2. a pull down screen and flat-panel Television on a stand advising to running into same issues as well as hiding Town seal. Ms. Knox advising to her recommended solution being for video recording meetings done by a Mondopad. (55"Windows7 Touch Screen Tablet) at cost of \$6,500+/- . Ms. Conley donated her Selectmen's Stipend towards cost of Mondopad. Ms. Conley moved to have Mr. Pontbriand prepare warrant article for FTM transferring her stipend from Selectmen's Budget towards cost of Mondopad, 2nd by Mr. Fay, VOTE: unanimous. so moved. Ms. Conley suggested Ms

Knox conduct demonstration for Board using the Mondopad.10:15p.m. Mr. Luca moved the Board adjourn the meeting, 2nd by Mr. Fay, VOTE: unanimous, so moved.

_____ Date _____

Christopher R. Hillman, Clerk
AYER BOARD OF SELECTMEN

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, October 1, 2013
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

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

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

Chairman Conley called the meeting to order at 7:00p.m. 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. .

Ms. Conley requested if there were any amendments to the Agenda of October 1, 2013.

Mr. Pontbriand:

1. Advised the Board to Advocates Grant removed from Mr. Maher's report and rescheduled for the Board's 10-15-13 Meeting.
2. Under Town Administrator's Report add Report re DPW contract

Ms. Livingston: re questions re her email of 9-30-13 re minutes, agenda start time/s be placed on future Agendas, Fire Dept negotiating team, reasoning behind Selectmen's questions that involves funding.

Ms. Conley-APAC-coverage of Committee, Boards, Commission Meeting not being recorded/covered by APAC as of 7-15-13.

Selectman Luca moved to approve the Agenda of 10-1-13 as amended, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Announcements-Mr. Luca reminding everyone to October being National Breast Cancer Awareness Month and announced the Ayer Post Office's annual sponsorship/drive, and distributed Breast Cancer Pink Pins for the Board to wear in recognition of National Breast Cancer Awareness month.

Minutes- Ms. Livingston questioned the reasoning behind two sets of minutes for same meeting being in the Board's packet re editing, one from the Board's secretary and one from Ms. Conley stating Board should not have double work. Ms. Conley responding to minutes from her is format change only not substance. Mr. Fay advised to policy re minutes having four (4) day window re editing if missed cut off-missed chance. The Board requested to ensure minutes be prepared within four (4) days and placed in Selectmen's mail boxes in the future. The Board to review policy re cut off period for edits.

8-22-13 Minutes moved by Mr. Luca to approve with amendments, 2nd by Mr. Fay, VOTE; unanimous.

9-3-13 Minutes moved by Mr. Luca to accept as written by Ms. Lewis, 2nd by Mr. Fay, VOTE: unanimous, so moved. Ms. Conley advising to copy of video of Selectmen's Meetings also available.

Fire Chief-FEMA Reimbursement Grant (\$30,777.84 for 2-/13 Blizzard)

The Board met with Chief Pedrazzi who advised the Board to receipt of reimbursement approval application form from FEMA requiring the Chairman's signature for the snow storm of Feb. 2013 re overtime, snow-plowing, materials, etc. Chief Pedrazzi took this opportunity to publicly thank his secretary Lisa White, Police Dept. Secretary-Marcia Gilson and DPW Office Manager Pam Martin for all their hard work assembling and gathering the enormous amount of paperwork required for this successful application.

Mr. Luca moved the Board vote to approve the FEMA reimbursement in the amount of \$30,777.84 (75% reimbursement) and authorize the Chairman's signature on the application, 2nd by Mr. Hillman, VOTE: unanimous, so moved. The Board congratulated Chief Pedrazzi on his successful application.

Public Input-

Mary Spinner-Ms. Spinner inquired about the status of the Town's By-laws passed at the 2013 Spring Annual Town Meeting, having seen nothing posted by Town Clerk. Mr. Pontbriand advising to also inquiring about the By-laws to the Town Clerk and receiving nothing definitive from him re status. The Board requested Mr. Pontbriand submit a written request to the Town Clerk addressing Board's concern re status.

David Maher-Economic Development Director.

L-3 TIF Agreement-present for the discussion Gary Boyer representing L-3.

Mr. Maher gave the Board a brief background re the status of L-3's TIF with the Town. Ms. Conley advised to L-3 meeting with the TIF Review Committee on 9-26-13 and L-3 conducting a power point presentation at this meeting which is included in the Board's 10-1-13 packet. Ms. Conley advised the Board to DOR de-certifying L-3's TIF on 6-26-12 due to L-3 not meeting their employment quota as agreed in the TIF by forty new hires (employees). The Board expressed their concern not receiving notification of L-3's de-certification by the State. Ms. Conley advising to L-3 made aware and went through Appeal Process in June 2013. Letter/s to be forwarded to Board by Mr. Pontbriand re notice received by Mr. Maher on 7-9-13 and any other pertaining documents also advising to Nashoba Valley Medical Center (NCMC) TIF de-certified in March 2012 and also not made aware of de-certification. Ms. Conley advising Board to TIF Committee taking no action and instructed Mr. Hogan-Chief Assessor and Mr. Pontbriand to contact Town Counsel re 30 municipalities who have kept TIF's even knowing they were de-certified and not knowing if it is good/bad to continue. Mr. Hogan expressed his grave concern at TIF Com. Mtg. re the substantial financial interest to the Town of Ayer. The Board requested Mr. Maher to prepare list of other Towns with de-certified TIFS, check Agility being de-certified, and to check with other Towns in Ayer's TIF zone re application process advising to Deadline of October 30, 2013 re appeal process and TIF Com. meeting again the first week in November. The Board thanked Mr. Boyer for coming in to meet with the Board and of value of L-3 to the community. Mr. Fay assuring Mr. Boyer to Town doing everything they can to keep L-3 here. Mr. Boyer advised to L-3 exceeding their quotas on everything else and are committed to continue advising to Federal cutbacks on major programs was major factor in not meeting their quota. Mr. Fay stating if Town had known earlier about de-certification Board could have taken action advocating for L-3. Board needs to research what they can and can't do. Mr. Maher advising to the Dept. of Business Development's opinion re de-certification being under Town's jurisdiction and DOR disagreeing.

Business Certificates-The Board expressed their concern re Town Clerk not present for discussion. Ms. Conley suggesting in the future to send written requests to the Town Clerk requesting his attendance at meetings and cc BOS. Mr. Pontbriand advised to meeting held on Tuesday morning at 10a.m. with Mr. Maher and Ms. Knox re Business Certificates and Mr. Canney unable to attend due to staffing shortage. Mr. Pontbriand advised to meeting with Mr. Canney per the Board's request re issuance of Business Certificates and advised by Mr. Canney to his adhering to stature, and maintaining he is following statute, and will continue to do so. Mr. Pontbriand then requested Mr. Maher to proceed with matter. Mr. Maher will continue to police and monitor. Mr. Maher presented a sample mailing he prepared to mail out to delinquent businesses. Mr. Hillman advising to Town of Littleton's Clerk sends out postcard mailings to businesses reminding them to renew license while Mr. Canney maintains he doesn't have to do anything. Mr. Pontbriand advising if Town wants to be pro-active with Business Certificates it has to come from Mr. Maher & Ms. Knox. Mr. Hillman also recommending the fee is increased from \$20.00 Ms. Conley offering perhaps \$50.00, Mr. Fay also requesting to get number of Home Business on line as well. Mr. Maher offering to canvas Town to make process easier. the Board set preliminary time frame of 1/1/14 for implementation. Mr. Maher's Office to absorb cost associated. Mr. Fay stating fine/penalties and license fee are under the preview of the Selectmen and should be addressed with Rate Study Committee soon. Mr. Luca suggesting Business Certificates also is included with license non-renewals if they have outstanding taxes, and also to offer on-line payments. The Board requested Mr. Pontbriand send the Town Clerk a memo requesting his presence at the October 15, 2013, Selectmen's Meeting to discuss the issue of Business Certificates. Ms. Livingston personally thanked Mr. Maher for his always stepping up attitude and willingness to help whenever called upon.

Release of Waiver-Ms. Conley extending apology for her unavailability to sign off on 2003 document re Housing Rehabilitation Program's property Lien , but made aware to Town administrator having Vice-Chair sign document. Mr. Maher stated his office was pressured by bank for release. Mr. Pontbriand for clarification purposes stated Ms. Hersey expressing great urgency having to have the document signed that day so he requested Mr. Luca sign due to time sensitivity. In the future Mr. Pontbriand will request

execution date be placed on all future documents coming before Board. Mr. Luca stating he has great respect for Mr. Pontbriand and would never question his integrity re such request/s.

Cindy Knox-IT Systems Administrator-Proposed DRAFT Policy I.T. Hardware/Software Acquisition

Ms. Knox updated the Board to proposed Policy developed and administered by her and receiving the IT Committees approval on 8-28-13 regarding the creation of policy. Ms. Knox stating purpose re IT Acquisition Policy is to ensure Town gets right purchase for right price. Ms. Knox reviewed with the Board hardware/software categories/definitions, enforcement and disposal in accordance with MGL Chapter 30b (state purchasing and procurement). Ms. Knox advising to Police Dept being exempt from policy re security issues. Mr. Luca applauding policy being a good start and Mr. Fay echoing Mr. Luca being a right step in the right direction centralizing purchasing and adding suggestions to policy that all Town Departments comply with annual inventory of equipment by hand receipt and equipment tagged/permanently marked as property of Town of Ayer. The Board scheduled this policy for approval at their next meeting on 10-15-13.

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

Crabtree Wastewater Pumping Station Upgrade-Supt. Wetzel announced the Bid Opening on Thursday, September 26, 2013, for the Crabtree WW Pumping Station Upgrade and Town receiving ten (10) bids, Low Bidder Weston & Sampson \$64,538.00. Supt. Wetzel advising to structure 30 years old and in danger of failing-placed on Capital Planning re funding. Supt. Wetzel recommending the Board vote Notice of Award pending funding at the 10-28-13 Special Fall Town Meeting. Mr. Luca moved the Board vote to approve Notice of Award for the Crabtree Pumping Station by Weston & Sampson not to exceed \$64,538.00 pending Special FTM funding and authorize the Chairman's signature, 2nd by Ms. Livingston, VOTE unanimous, so moved. Mr. Fay requesting Board follow-up with Planning Board re his recollection re Developer (Crabtree) funding Pumping Station upgrade back in 1985-90's and Ms. Conley also having similar recollection requesting Mr. Wetzel have Planning Board check their minutes re Bond- lien placed on developer and report back.

21 Main Street Sidewalk-Mr. Wetzel updated the Board to DPW investigating section of sidewalk in front of 21 Main Street having no concrete base under bricks and bricks being uneven with sand on top which indicates a leak below bricks or settlement issue i.e. settlement of trench. Based upon speaking with owner, building contractor and Mr. Jaspersen-Foremen-DPW the DPW will review roof drain with video camera if no blockage/broken pipe will repair area by excavating 12-inches of material, install processed gravel, geotect fabric, foundation sand, and dry set bricks joints to be filled with polymerized sand mixtures. DPW to observe area for settlement in Spring if observed will re-evaluate.

Proposed Changes to Industrial Pretreatment Permits-Present for the discussion Paula Boyle-HTA Supt. Wetzel gave the Board an update re the Town's four Significant Industrial Users (SIU's) in Town. Vitasoy requesting an increase in their discharge flows and concentrations per request from HTA the Town's engineering consultant dated 9-3-13 and based upon the report and with speaking with Ms. Boyle. Ms Conley suggesting the Board meet with the Town's SIU's before approving extra capacity need the information from stakeholders and cost involved. Mr. Luca feeling work is done we have the capacity. Mr. Hillman feeling Vitasoy needs upgrade we have leverage. The Board discussed Devens WW Treatment Agreement's additional capacity. Mr. Wetzel suggesting the Board increase Vitasoy's flow based upon Table 5. Mr. Luca moved the Board move to accept the organic capacity analysis allocation up to the limits as presented in Table 5 of the attached letter report from Hoyle, Tanner & Assoc. Inc. dated 9-3-13 and to allow the Superintendent of Public works to negotiate Industrial Discharge permits accordingly as deemed necessary, 2nd by Mr. Fay, Vote unanimous, so moved.

NPDES Discharge Permit-Supt. Wetzel advised to USEPA issuing draft WW-NPDES permit for the Town WWTP. The draft permit contains effluent limitations and conditions that the discharge received adequate treatment and will not violate State water quality standards, The Town must provide comments to the EPA and MADEP by 10-27-13 and the Town is working with HTA to review & comment on the draft permit. Mr. Wetzel advising to new concerns re meeting phosphorus, aluminum, lead and copper limits, not concerned re Phosphorus just metals. Supt. Wetzel requesting to hire environmental

lawyer Donald Angelhart for short period of time Not to Exceed \$5K (2/days work) to assist Town with response - Mr. Luca moved to allow Mr. Wetzel to utilize Special Counsel, Donald Angelhart to assist with the Town's WW-NPDES Permit in the amount not to exceed \$5K, 2nd by Ms. Livingston, VOTE unanimous, moved. The Board requested Mr. Pontbriand contact K&P to see if they have Counsel available re same.

Ms.Spinner requested the Board look into Ridgeview Heights Storage Tank- re Willows -O'Hagen was to build included replacement of 12" mains with 16" mains (2010-2011 time-frame)-but O'Hagen doesn't own property anymore (if tank wasn't built by a certain time developer was to pay Town \$250K). The Board requested update for their 10-15-13 meeting. Mr. Wetzel to check with ZBA, Town Accountant.

Town Administrator's Report-

1. Easy Street-The Board approved Easy Street Warrant Article for the 10-28-13 Special Fall Town Meeting per Planning Board's vote of 9-19-13 to accept Easy Street as Public Way. Motion to approve made by Mr. Fay, subject to Supt. Wetzel's sign off, 2nd by Mr. Luca, VOTE: unanimous, so moved.
2. DPW Contract-Mr. Pontbriand announced the successful negotiation of the DPW AFSCME 93 Union MOA 3 year contract (2013-2016) on 9-18-13 which includes 2% Fy14, 2% Fy-15, 2% Fy-16 salary increase/s with no wage re-opener and \$25.00 clothing allowance increase and one time provision re hours of the Transfer Station from 10-28-13 to 12-1-13.
3. 10-28-13 Special Fall Town Meeting Warrant-Mr. Pontbriand presented DRAFT #5 of FTM Warrant per Town Counsel review. Deadline for Warrant to printer 12:00 noon on 10-9-13. Mr. Pontbriand requested Board to meet with Fin-Com 10-8-13 re final review and approval of financial articles and Warrant in Open Session @7:30p.m. and meet in Executive Session at 6:30p.m. with Fire Dept. re Col. Bargaining. Mr. Pontbriand reviewed Draft #5 of the 10-28-13 FTM Warrant with the Board -Articles 1-12 advising to Article 13 -Park St. Crosswalk not making warrant due to insufficient signatures- requiring 100 and 10 submitted. Mr. Fay questioned why Town Flag was not included on warrant.

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

4. Remote Participation-OML 940 CMR 29.10-Public Meetings- Mr. Pontbriand presented his proposed draft policy re allowing Remote Participation for all Public Meetings of all Town of Ayer Public Bodies (Town Boards, Departments, Committees/Commissions-see attached policy dated 9-26-13) Mr. Pontbriand stating every effort should be made by the public body to avoid the use of remote participation at meeting when possible and used remotely only if physical attendance is unreasonable/difficult as determined by the Chairman. Types of technology to be used in remote participation includes: by means of Telephone, Internet, Satellite enabled audio and/or video conferencing. Reviewed with the Board briefly included procedures, quorum, purpose of meeting, participants, must be audible, votes by roll call, use in Executive Session-participants, violations, revocation of policy. Mr. Pontbriand advised no one may use remote participation until Board of Selectmen approves policy. Mr. Luca requested the Board look over proposed policy and be sure policy mirrors state and schedule for Boards 10-15-13 meeting.

New Business/Selectmen's Questions

Mr. Fay-show actual times on Agendas in future, placed in the form of a motion, 2nd by Mr. Luca, VOTE unanimous, so moved. Ms. Livingston elaborating stating all times is approximate.

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

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, October 8, 2013
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

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

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

Chairman Conley reconvened the meeting to order in Open Session at 7:35p.m. advising to the Board meeting in Executive Session earlier at 6:30p.m. 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.

Final Review and Approval of the 10-28-13 Special Fall Town Meeting Warrant-Mr. Pontbriand reviewed DRAFT #6 FTM Warrant with the Board and advised to six (6) articles on the 10-28-13 Special Fall Town Meeting Warrant. Mr. Pontbriand advised to Fin-Com to meet on Wednesday, October 9, 2013, at 7:00p.m. to vote their recommendations and warrant will be sent to printer on 10-10-13. Mr. Pontbriand advising to five (5) original warrants prepared for the Board's endorsement this evening with Town Counsel's approval and Town Counsel's to be at Town Meeting. Ms. Conley questioning need for Town Counsel's presence at Town Meeting.

Article 1. Former Central Fire Station-Mr. Pontbriand advising to 2/3 Majority Vote required to transfer care & custody to the Board of Selectmen for the sale/lease of the building with all proceeds going into the Town's General Fund. Ms. Livingston moved to approve Article 1. as presented, 2nd by Mr. Fay, VOTE: Unanimous, so moved.

Article 2. Petition for Street Acceptance-Easy Street-Mr. Pontbriand advised the Board to Planning Board recommending their approval of street acceptance and metes and bounds on file with the Town Clerk. Simple Majority Vote required. Mr. Pontbriand advising to Supt. Wetzel's Memo of 9-5-13 re project to be completed to DPW specifications being in order. Ms. Livingston moved to approve Article 2 as presented, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Article 3. Crabtree Wastewater Pumping Station-Mr. Pontbriand advising to Supt. Wetzel recommending his approval of this article due to pumping station failing and timely replacement is recommended. Article requires Simple Majority Vote and funded from the Wastewater Enterprise Fund Surplus in the amount of \$72K. The Board questioned change in funding amount on 10-8-13 from \$68,538 and Mr. Pontbriand advising to DPW Superintendent requested a 10% contingency be included. Mr. Pontbriand stating \$70K will be sufficient. Mr. Hillman moved the Board vote to approve Article 3. as amended, inserting Not to Exceed 70K, 2nd by Mr. Luca for discussion stating this article is on FTM Warrant due to emergency any other financial articles should wait until the Spring Annual Town Meeting Warrant, VOTE: unanimous, so moved.

Article 4. Police Mutual Aid-Adoption of MGL Chapter 40, Section 8G-Mr. Pontbriand advising Board to this articles reaffirmation and retroactive adoption of MGL Chapter 40 Section 8G required for the Town to participate in certain Mutual Aid Agreements. Article calls for a Simple Majority Vote and is recommended by the Police Chief. Mr. Luca Moved the Board vote to approve Article #4. as presented, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Article 5. Telephone Upgrade-Mr. Pontbriand stated this article would fund the upgrade of the Town's telephone system at the Town Hall, DPW, Library and Police Department. Article requires a 2/3 Vote. Article recommended by Board of Selectmen and Capital Planning Committee. Mr. Luca again requesting why this article can't wait for the Spring Annual Town Meeting. Mr. Pontbriand advising to DPW-having no transfer or voice mail capabilities and Library system needing replacement parts and Police Department communication problems as well. Ms. Livingston moved to approve Article 5 as presented, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Article 6. Transfer Article from Board of Selectmen's Salary Line to I.T. Department Budget. Mr. Pontbriand advising this article partially funding the Town Hall Mondopad (computerized video screen and stand). Article calls for a 2/3 Vote. This article would transfer \$2,506.00 from the Selectmen's

budget salary line in addition to \$4,000.00 from Capital Stabilization. Mr. Fay expressed his sincere thanks to Chairman Conley for donating her stipend towards this purchase. Ms. Spinner from the Capital Planning Committee spoke against article not being presented to the Capital Planning Committee and many other important Town items in line. Mr. Luca reiterating his not being in favor again of approving financial items at the FTM. Mr. Fay moved to approve Article 6. as presented, stating item is infrastructure to I.T. Communications 2nd by Mr. Hillman, VOTE: Mr. Fay aye, Mr. Hillman aye, Ms. Conley aye, Ms. Livingston aye, Mr. Luca no, 4-1 motion passes. Mr. Hillman requesting Ms. Knox conducts a presentation of Mondopad at the 10-15-13 Selectmen's Meeting. Chairman Conley called for a motion to close the 10-29-13 Special Fall Town Meeting Warrant. Mr. Fay moved to close the 10-28-13 Special Fall Town Meeting Warrant, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Thomas Horgan, Town Moderator requested to place signage at the Town Hall and High School advising to Fall Town Meeting being held at the Ayer Town Hall. Selectman Conley requesting Chief Murray being contacted to place Police Department's electronic message board at the High School Site to divert residents back to Town Hall if they go to High School. Mr. Pontbriand advising Board to Nashoba Publications being requested to highlight Ayer Town Hall in yellow on the front page of the Warrant. **Main Street Light Improvements-Notice of Award**-Mr. Pontbriand reviewed with the Board Supt. Wetzel's recommendation of award dated October 4, 2013 re the Bid Opening held on October 3, 2013 for the Main Street Lights Improvement Contract-Supt. Wetzel recommending the Board award the contract to the low bidder Blais Electric Corp. of Framingham, MA for the low bid award not to exceed \$44,440.00 Mr. Luca moved the Board vote to approve the contract for the Main /street Light improvements to Blais Electric Corp of Framingham, MA and authorize the Chairman's signature, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Town Administrator's Policy Protocols regarding Electronic Communications-Mr. Pontbriand reviewed his Memo of 9-3-13 with the Board re his electronic communications (email) concerns stating although it was a positive, candid discussion no real consensus on direction, guidance or policy was materialized for going forward and issues still remain (see attached) between the Board, the Town Administrator and Department Heads. The following areas were formalized with the Board.

- Ayerbos@ayer.ma.us account to be utilized only by the Town Administrator solely for scheduling meetings, distribution of documents and emergency notifications.
- volume of emails to date 9759 received by Mr. Pontbriand for this year. Mr. Pontbriand to respond to non-urgent Selectmen's emails within 48 hours of receipt.
- Selectmen's Meeting Packet - Mr. Pontbriand will not respond to Selectmen's emails on Fridays before meetings. Mr. Hillman suggesting Fridays be off limit day and Board to use discretion when contacting him other than emergencies.
- emails from the Board to Dept. heads are copied to him and used at a minimum for seeking information or asking a question, such emails will be disseminated by him to the Board. The Board requested to include Town Counsel emails sent by the Board/Department Head before and after.
- Town Administrator will not respond to texting or instant messaging from Selectmen and requested the Board practice the same as well as all public bodies due to A.G. Open Meeting Law (OML) concerns.
- Electronic packets-urging the Board consider only printing sections of packet they need for the meeting to reduce the amount time & effort/cost put into physical reproducing the packets and advising to hard copy made available if requested.
- Establishing a thirty (30) minute time limit for individual Board members to meet with him/or by telephone during normal working hours (8:30a.m.-6:00p.m.) Mr. Hillman suggesting including fifteen minutes before & after Selectmen's Meetings the Board leaves Mr. Pontbriand alone, so he can prepare for meetings and leave building after meetings timelier.

- Mr. Pontbriand will not respond to Selectmen's emails after 6p.m. Monday through Friday and will not respond to selectmen's emails on Saturdays and Sundays and Holidays advising to in cases of emergencies the Fire/Police/DPW all have his contact number and vice-versa he will contact the Board using the Ayerbos@ayer.ma.us account in emergencies. The Board requested Mr. Pontbriand make necessary amendments to his policy and present if to the Board at their 10-15-13 Meeting for approval. The Board thanked Mr. Pontbriand for his suggestions. Ms. Livingston applauding effort and time put into document stating it's unfortunate Mr. Pontbriand felt he had to communicate this to the Board, going forward the Board now has a policy in place re how they are to communicate with each other and Mr. Pontbriand. Mr. Luca feeling document well written. Mr. Fay feeling document long overdue and too bad he had to reduce it to writing. Mr. Hillman stating "Open Door Policy" has been taken advantage of. Ms. Conley stating witnessing walk-ins after 6:00p.m. and documents needing his signature delivered during his lunch, etc. urging appointment be made and sign on his door adhered to. The Board discussed placing a gate in Selectmen's office to stop employees from walking through to his office without an appointment. Mr. Pontbriand thanked the Board, points well taken and he will amend and bring forward his policy on the 15th for final review and approval.

JBOS Update: Devens Transition & Integration Matrix; Alternate JBOS Representative (see Attached)

Chairman Luca opened the discussion feeling MADEV through their leadership is not paying attention to JBOS. DREZ document 2nd paragraph being managed by local residents not State good summation. Mr. Luca suggesting the Town of Ayer is notified when anything happens on Devens and Mr. Ramirous has been coming to meetings. Movie Studio huge development with a lot in the pipeline going on up there and its good to have a say in what will happen there. Funding down to \$36K left over in seven years, looking to find more money down the road have to start someplace perhaps each town kicking in funds. Contact being made to Sen. Eldridge re funding availability. Mr. Luca advising to Town of Ayer having no alternate presently in his absence. Ms. Conley and Ms. Livingston volunteering to assist as alternates.

Selectmen's Questions/New Business-

Mr. Hillman advised to his looking into cleaning up Memorial Garden i.e. having overgrown trees removed, having landscape architect come in and redesign plantings or draw up plan. Ms. Livingston suggesting having a formalized plan before doing anything. Mr. Pontbriand reminding Board to irrigation system there and careful planning i.e. removal of stumps must be monitored. Trees/branches laying on slate roof a problem should at least remove objectionable branches. Mr. Hillman stating he plans to start the ball rolling.

Gazebo-Mr. Hillman advising to Nashoba Valley Regional Technical School offering to do a project in Town of Ayer and looking at possible site/s re having a gazebo built i.e. in front of car wash, Pirone Park, Pleasant Street. Mr. Pontbriand echoing Mr. Hillman re NVTHS offering to build a "Welcome to Ayer Sign" or other amenity for Town of good quality workmanship. More on this to come.

9:00p.m. Ms. Livingston moved to adjourn the meeting 2nd by Mr. Hillman, VOTE: unanimous.

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, October 15, 2013
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

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

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

Chairman Conley called the meeting to order at 7:06p.m. Present: Chairman-Pauline Conley, Gary J. Luca-Vice Chairman, James Fay-Member, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. Selectman Hillman running late.

Ms. Conley requesting if there were any amendments to the Agenda.

Mr. Pontbriand requested to make brief announcement, Mr. Pontbriand announced per the Secretary of State's Office no meetings can be held at Town Hall on 11-5-13 the Town Election (Home Rule Election-reducing the number of Selectmen to three (3) and announced the Selectmen's Meeting dates in November 2013 as follows: 11-12-13 and 11-26-13. The Selectmen's Nov. 5, 2013 Meeting to be held on the 12th. Mr. Pontbriand also called the Board's attention to the new Town Hall Granite sign installed earlier and thanking Dan Sherman, Facilities Director for all his work with design/purchase and installation.

Ms. Conley took this opportunity to remind residents to the Special Fall Town Meeting on Monday, October 28, 2013 at the Ayer Town Hall, 2nd Floor Great Hall.

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

EAGLE Scout-Joshua Richard-Ms. Conley welcomed Eagle Scout Joshua Richard to the meeting and requested he step forward along with family members in attendance. Ms. Conley read in to the record a Certificate of Recognition presented to Joshua for performing his Eagle Project for the betterment of his community; marking & re-stripping parking lot spaces at the Ayer Sportsmen's Club. The Board congratulated Joshua and paused for a picture.

Minutes-deferred to 11-12-13 Selectmen's Meeting. Motion made by Selectman Luca 2nd by Selectman Fay VOTE: unanimous, so moved.

Public Input-no one

Department of Planning & Economic Development-The Board met with Alicia Hersey, Financial Manager-re Lien subordination Case # 09-328-14 Grove Street, Ayer, MA Ms. Hersey recommended the Board approve Home Owner's lien request to consolidate loans to seek new mortgage interest rate not to exceed \$132K. Mr. Fay moved to approve the lien subordination conditioned upon new mortgage not to exceed \$132K, 2nd by Mr. Luca, VOTE: unanimous, so moved.

Fy-11 CDBG -Housing Rehabilitation Program Final Report- The Board approved the Fy-11 CDBG Final Report as submitted. Motion to approve made by Mr. Luca, and authorize the Chairman's signature, 2nd by Mr. Fay, VOTE: unanimous, so moved.

I.T. Systems Administrator-The Board met with Cindy Knox- Information Technology Acquisition Policy. Ms. Knox advised to policy updated from 10-1-13 incorporating the Board's recommendations into Policy. Mr. Fay stating inventory tags for all Town equipment not included in policy and Ms. Conley requesting I-Phones also are included in inventory. Mr. Luca moved to approve the IT Hardware/Software Acquisition Policy with amendments above, 2nd by Mr. Fay, VOTE: unanimous, so moved. Ms. Spinner questioned why allowing/approving I-Phones for employees/how authorized. Mr. Luca stating that is why he brought up who has and why. Ms. Knox advising to phones charged flat rate re voice/data. Matrix to be submitted to Mr. Luca listing employees, bills, etc.

Gabe Vellante-Building Commissioner--present for the discussion Alan Parker, Alternate Wiring Insp.

Resignation of Wiring Inspector-Mr. Vellante updated the Board to receiving Philip Horgan's resignation on 9-19-13 and his willingness to stay on until a new inspector is appointed and advising to the Alternate Wiring Inspector-Alan Parker requesting the Board's consideration of him for the Wiring Inspector's position. Ms. Conley disclosing that Mr. Parker has/does work for her at her home. Mr. Luca moved the

Board accept the resignation of Philip Horgan with regrets, 2nd by Mr. Fay, VOTE: unanimous, so moved. Mr. Luca moved to appoint Alan Parker as Wiring Inspector effective immediately, 2nd by Mr. Fay, VOTE: unanimous, so moved. The Board requested a letter of appreciation be sent to Mr. Horgan for his longtime service and welcomed Alan Parker to the position and looked forward to working with him. Ms. Conley requesting Mr. Horgan give notice to the Town Clerk of his resignation.

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

1. Main Street Light Improvements Contract-Blais Electric- Mr. Wetzel updated the Board to Bond/Insurance Certificates complete and in place. Mr. Fay moved the Board approve the Contract with Blais Electric for the Main Street Light Improvements in the amount not to exceed \$44,440.00 as stated in contract and authorize the Chairman's signature, 2nd by Mr. Luca, VOTE: unanimous, so moved. Mr. Wetzel to fill in contract date.

2. Epic Enterprises-Sewer Abatement-The Board approved a Sewer Abatement for Epic Enterprises Account #02338 for the bill period 3-1 to 6-12-13 in the amount of \$16,451.86 (July bill-2nd Quarter) false high reading per Supt. Wetzel, meter was malfunctioning-serviced and is now operating to their normal levels. Motion to approve Supt. Wetzel's recommendation made by Mr. Fay, 2nd by Mr. Luca, VOTE: unanimous, so moved.

3. Upper Blackstone Valley Wastewater Bio-solids Disposal Agreement-Mr. Wetzel advising to Town having Agreement presently for one year with Upper Blackstone as primary disposal site for Ayer's WWTP sludge with one year extension. Rate \$319.00 per dry ton mixed primary & secondary greater than 4.2 \$70.00 per thousand gallons. The Board held off on the award pending clarification re rate comparison. Mr. Fay stating he is not comfortable approving rate without seeing comparison from last year. Mr. Wetzel having data at DPW and to return to meeting later with rate comparison.

4. Crabtree-Willows Order of Conditions-Supt Wetzel gave the Board a brief update re looking into bonding (\$250K) re "Willows Road Development" and advised to speaking with Planning Board and their having no knowledge re on-site improvement to provide the construction of a one and a half million gallon capacity water tower. Supt. Wetzel also sent off email to Mark O'Hagan (developer) to which he has no heard back from. Supt. Wetzel stating it is not his job to track money.

7:45p.m. Selectman Hillman entered meeting

The Board went off the posted Agenda due to not all of Planning Board Members and Mr. Canney being present.

The Board took up the Town Administrator's Report-

1. Proposed Policy for the Acquisition of Furniture, Equipment and Alternations for the Town Hall

Mr. Pontbriand reviewed his draft policy with the Board to ensure acquisitions to the Town Hall are done professionally, cost effective, efficient and in compliance with ADA, Building Codes, Public Health, and safety to ensure a pleasant environment for Town Hall employees and the public. Mr. Pontbriand reviewed items with the Board that were removed i.e. floor heaters, refrigerators etc. that were considered posing a threat to safety or unnecessary from the Building. Mr. Fay moved to approved the policy as presented requesting Department Head are copied and sign off, 2nd by Mr. Luca, VOTE: unanimous, so moved.

2. Draft Cell Phone Use Policy -Mr. Pontbriand reviewed his draft policy with the Board re employees who have Town-owned cell phones, I-Phones, Tablets, etc. being responsible for the proper care of their equipment and held responsible for the loss, damage, failure to return such equipment. Use re transmittal of inappropriate communication strictly prohibited and may be withdrawn for violation of policy and/or discretion of Department Head. The Board having the right to amend, suspend or revoke this policy. The Board continued this discussion to their 11-12-13 meeting re sign off/hand receipts to be incorporated, requesting inventory of employees who have cell phones, equipment, etc. Use of cell phones i.e. internet, social media, where phones have visited, bills, etc. to be compiled and transmitted to Board for their review.

Mr. Wetzel returned to meeting with WW Bio-Solids Disposal Agreement Rates-Supt. Wetzel advising to the rates being the same as last year no increase and under 4.2%. Mr. Luca moved the Board approve

one (1) year extension Agreement with Upper Blackstone Valley for the disposal of bio-solids/sludge, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Town Administrator's Report (Cont.) -Electronic Posting of Town Meeting Minutes-

Mr. Pontbriand reviewed M.G.L. c.4, S7 (26) (Public Records Law) with the Board advising to all Town of Ayer Public bodies i.e. Boards, Committees Commissions etc. must keep official meeting minutes both in draft form and final form with exception of exemptions from Open Meeting Law (OML) and must comply with Public Records Requests. Mr. Pontbriand advising to the Town Clerk being the official repository and custodian of meeting minutes (Keeper of Records) Mr. Pontbriand advising to the legal responsibility of each public body to ensure their meeting minutes are filed with the Town Clerk with the exception of the Board of Selectmen's minutes to which the Town Administrator is charged as the official keeper of Selectmen's records. Official notices of meetings must be posted in accordance with the OML at least 48 hours in advance of meeting, stamped by the Town Clerk and placed on Town's Official Posting Board. Mr. Pontbriand advising to the posting of minutes, agendas & public documents on the Town's Web-site and/or Facebook Page is **not** a legal requirement or responsibility in terms of the Public records Law and OML it is a local service and a courtesy in the interests of transparency and open government. The Town Administrator is responsible for all official postings to the Town's Web-site/Facebook. The I.T. Director does the official scanning and posting of approved materials. Mr. Hillman stating the Web-site saves people from needless trips to Town Hall. Ms. Livingston stating technology is ahead laws. Ms. Conley stating Town Clerk is official repository, Keeper of Records has shifted to Chairman to ensure recording of minutes. Mr. Luca stating elected officials do not have to comply. Ms. Conley stating Town Administrator has created policy and Board may consider issuing policy to all public bodies to comply with the posting of minutes by a certain time frame before the minutes are officially finalized and accepted. the Board requested this policy be placed on Town Website and made available.

John Canney, II Town Clerk & Town Collector re Business Certificates-Mr. Pontbriand updated the Board to carrying over discussion from 10-1-13 meeting with Director of Community & Economic Development-Mr. Maher re responsibility of Business Certificates being maintained/updated. The Board agreed that Mr. Maher is to keep and update list of businesses in town, letters to be sent out by Mr. Maher re renewal/s and to be shared with Town Clerk. Mr. Luca expressed concern if businesses are complying with Liability/Enforcement -complying with law/s as well as safety/zoning; no requirements that business is compliant and Town Clerk has no authority re enforcement. Ms Conley read statute Title XV Chapter 110 Section 5 into the record prepared by the Town Administrator advising to the Town Clerk issues Business Certificate naming owner, address & tel. #, pays fee (\$25.00), violations up to \$300.00 fine. Town Clerk issues Business Certificates under oath does not expose Town to liability, if violations Town collects \$300.00 fine. Ms Livingston questioned why there is no packet of information prepared for new businesses coming into Town explaining how & what to do, no one wants to do. Mr. Canney stating there is no central office assistant. Mr. Canney to prepare draft procedures for Board's review. Mr. Fay stating this is revenue source Town has avenue for fines collection by Town Clerk per oath. Ms. Conley advising to system should be shared every month re business certificates about to expire. Ms. Livingston advising to data base should be developed and maintained on a weekly/monthly basis. Ms Knox suggesting to put into electronic format to turn over to Town Clerk to maintain and enforce responsibility is Town's Clerk per oath. Mr. Maher to send out documents with understanding that it is a joint endeavor with Town Clerk collecting documents and fees. This matter to be continued.

Ms. Conley on another matter requested if Mr. Canney received correspondence from AG Office re By-laws approved at the May 2013 Town Meeting. Mr. Hillman questioned and if they were posted Mr. Canney advised he had received and posted copies as required.

Planning Board/Board of Selectmen Joint Appointment-Planning Board Member-The Board met with Mark Fermanian-Chairman, James Luchessi and Rick Ropers, of the Planning Board. Mr. Fermanian

advised the Board to Planning Board meeting with Mr. Kyle Gordon and recommending Mr. Gordon a twelve year resident of Ayer, MA to the vacant Planning Board position. The Board interviewed Mr. Gordon and requested he give the Board a brief personal back-ground why he would like to serve on the Planning Board, acknowledging having received a letter of recommendation from Atty. Tom Gibbons in support of Mr. Gordon's appointment. Following a brief discussion Mr. Luca moved to appoint Mr. Kyle Gordon to the vacant Planning Board position, 2nd by Ms. Livingston, VOTE: Unanimous, so moved. Mr. Fermanian moved the Planning Board vote to appoint Mr. Gordon to the vacant Planning Board position until the next Town Election in April 2014, 2nd by Mr. Roper, VOTE: unanimous, so moved. The Board welcomed and thanked Mr. Gordon for volunteering his services.

Crabtree/Willows Development-The Board questioned the Planning Board re Willows Road Development and advised to this being a Zoning Board of Appeals Decision (Order of Conditions) not Planning Board matter. Mr. Roper feeling \$250K release expired two (2) years ago and to check bond release, the Board to look at agreement. Mr. Hillman suggesting Town hold up sewer permits & water/Sewer releases until matter is investigated.

Town Clerk/Tax Collector -John Canney returned to the meeting to present and advise to letter received on 9-18-13 from Atty. General Coakley re May 2013 Warrant Articles 36, 37 & 38 posted in five places on the 18th of September, 2013, and in effect on 9-18-13 re Anti-Littering, Unregistered Vehicles, & Enforcement Bylaws.

Town Administrator's Report (Cont)

Remote Participation-Mr. Pontbriand reviewed his proposed policy for the Board's consideration advising to an adopting authority such as the Board of Selectmen may establish restrictions on the use of remote participation i.e. how many times a public body can use a year, cannot violate State or Federal Law, stating there are ten (10) general points for consideration i.e. the adopting authority may adopt a policy due to geographic distance must be a certain distance. The Board questioned how to enforce, potential for more litigation, Mr. Fay feeling he doesn't see need. Mr. Luca stating remote participation is vetted by A.G. Office- another tool. Committee, Commission, Dept. should have ability to communicate how member of Board, committee etc. feels. Ms. Livingston advising to participant must be alone i.e. if in Executive Session how do you police. Mr. Hillman agreeing valid point being alone. Ms. Livingston suggesting each member list their pros and cons and Board go through each and establish policy going forward. Ms. Conley expressing her concern re electronic equipment used during public meeting questioning ability to communicate. The Board set this matter back for another meeting.

BOS Policies & Procedures Review

The Board decided to Keep Selectmen's Policy 99-27 as is.

The Board reviewed and agreed Policy 01-01 Department Head Reports are important/informative and to be enforced on Monthly basis. Mr. Pontbriand to bring forward at next Department Head meeting. On another matter Mr. Pontbriand reminded all to Annual 2013 Town Reports due on 2-1-14.

BOS Open Discussion-

Electronic Devices-Mr. Luca requesting Board look at IT Budget for ATM Meeting to purchase either, tablet, Nook, Lap Top for Selectmen and speak with Ms. Knox re same. Ms. Conley reminding Mr. Luca to write on pad being considered Public Record. Ms. Livingston suggesting Kindle to down-load packet gets rid of paper. Ms. Conley stating cost vs. need discussion needs to be held stating Mondopad was suppose to eliminate Board having electronic devices.

Street Lights -Mr. Luca urged the Board consider contacting MRCP re the Town's plan to purchase their own street lights and reminded Board to discussion held back in June and DPW going to look into possibly doing something regionally along with curbside. Mr. Luca requesting to get all the information see if it works.

HRA/FSA-Mr. Luca questioning remaining funds disbursement to employees/retirees. Town Counsel to look into, remaining balance has not been disbursed Board needs to make decision. Mr. Pontbriand advising to Town Counsel here on 22nd will request financial update re IRS ruling status. Ms. Conley reminding all to Joint Bos & BOH Meeting on November 18, 2013 @ 7p.m.

Ms. Livingston took this opportunity to advise all to this being Selectman Luca's Birthday and sang a moving rendition of 'Happy Birthday' to him, much to his delight.

10:10p.m. Ms. Livingston moved to adjourn the meeting, 2nd by Mr. Luca, VOTE: Unanimous, so moved.

Date: _____

Christopher R. Hillman, Clerk
AYER BOARD OF SELECTMEN

PERSONNEL

- Appointment of Council on Aging (COA) Board Member (See attached) [Recommended for Appointment by COA and Town Administrator.
- Assistant Building Inspector Position/Hiring Update (See attached)

After advertising in the Lowell Sun, Nashoba Public Spirit, the Town's Web-Site, and the Town's FB Page, the Town to date has received only two applicants, neither of which meet the minimum requirements. On Tuesday, November 12, 2013, the Building Commissioner will post the position on the Building Commissioner's of Massachusetts Statewide List Serve.

However, the Town may have to revisit the parameters of the position, specific the wage which would require collective bargaining with the Union.

*Ayer Council on Aging
18 Pond Street
Ayer, MA 01432
978-772-8260*

OCT 28 2013

October 28, 2013

Dear Members of the Ayer Board of Selectman,

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

In having to deal with these types of situations in our line of service we are blessed to have Sally Balcom, a very active Ayer resident express interest in filling Ms. Lawson's term of service. Ms. Balcom would be the perfect fit to fill this seat and we look forward to having her join our COA Executive Board for our November 13, 2013 meeting.

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

Respectfully written,

Sister Paula McCre

Sister Paula McCre

Chairperson of the Ayer Council on Aging

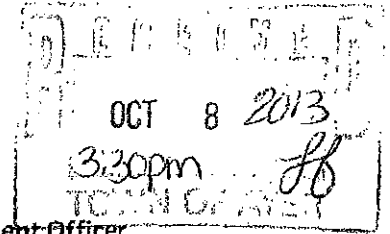
Town of Ayer

Employment Opportunity

Assistant Building Inspector / Zoning Enforcement Officer
(Part-Time)

The Town of Ayer is currently accepting applications for the part-time position of Assistant Building Inspector / Zoning Enforcement Officer. This position involves technical and inspection work related to the enforcement and interpretation of the Massachusetts State building Code, Ayer Zoning Bylaw, and other applicable regulations; all other work as required. Qualified applicants must have a high school diploma plus five years experience in the supervision of building construction or design; a Massachusetts Class D motor vehicle license; Massachusetts Construction Supervisor's License and State Certification; and be certified as a Local Building Inspector in Massachusetts. The position works under the Building Commissioner; is part-time 10 to 16 hours per week (depending on work load) with a minimum of 10 hours per week; compensation is \$17.00 per hour; this position is non-benefitted; this position is a Union position. Qualified applicants should submit a letter of intent along with resume to: Town of Ayer, ATTN: Town Administrator, 1 Main Street, Ayer, MA 01432 or via e-mail to ta@ayer.ma.us. For a full position description please visit www.ayer.ma.us. The deadline for applications is Friday, November 1, 2013 at 5pm.

TOWN OF AYER



POSITION VACANCY: Assistant Building Inspector / Zoning Enforcement Officer

INTERNAL POSTING FOR AFSCME 93 UNION MEMBERS

ASSISTANT BUILDING INSPECTOR / ZONING ENFORCEMENT OFFICER

The Town of Ayer is seeking qualified applicants for the position of Assistant Building Inspector / Zoning Officer (See Attached Official Job Description).

Definition: Technical and inspection work related to the enforcement and interpretation of the Massachusetts State Building Code, local zoning bylaw, and other applicable regulations; all other related work as required.

Supervision: Works under the general direction of the Building Inspector. Appointed by the Ayer Board of Selectmen.

Hours of Work: Part Time: 10 to 16 hours per week (depending on work load). Minimum 10 hours per week. Maximum 16 hours per week (6 hours per day/3 days a week)

Compensation: \$17.00 per hour. Non-benefitted position.

Classification: Position is covered under the AFSCME 93 Collective Bargaining Agreement

Minimum Qualifications:

- High school graduation; plus five years experience in the supervision of building construction or design; Associate's Degree in a field relate to building construction or design preferred; or any equivalent combination of education and experience.
- Massachusetts Class D Motor Vehicle Operator's License (Required)
- Massachusetts Construction Supervisor's License and State Certification (Required)
- Certified as a Local Building Inspector in Massachusetts (Required)

Knowledge, Ability and Skill (See Attached Official Job Description)

Application: Qualified applicants should submit a letter of intent along with resume to: Town of Ayer, ATTN: Town Administrator, 1 Main Street, Ayer, MA 01432 or via e-mail to ta@ayer.ma.us.

Deadline: The Deadline for qualified internal applicants is Tuesday, October 15, 2013 at 5pm

Official Job Description Attached to this Posting

Internally Posted at the Ayer Town Hall on Tuesday, October 08, 2013

*Cc: Susan Sullivan, AFSCME 93, Union President
Nadine Kennedy, AFSCME 93
Ayer Board of Selectmen*

OCT 8 2013
3:30pm
JH

ASSISTANT BUILDING INSPECTOR/ZONING ENFORCEMENT OFFICER

Definition

Technical and inspection work related to the enforcement and interpretation of the Massachusetts State Building Code, local zoning bylaw, and other applicable regulations; all other related work as required.

Supervision

Works under the general direction of the Building Inspector.

Performs varied and detailed inspection duties of a technical nature requiring the exercise of considerable judgment in ensuring compliance with proper standards and the enforcement of pertinent laws and regulations.

Job Environment

Some work is performed under typical office conditions; a significant portion of the work day may be spent outdoors, with exposure to various weather conditions and to the hazards associated with construction sites.

Operates an automobile, radio, standard office equipment, and specialized testing equipment.

Makes frequent contacts with the general public, other Town departments, members of the building community, and property owners.

Errors could result in delay and loss of service, damage to property, and endanger public safety.

Essential Functions

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

Assists the Building Inspector in the day-to-day administration of the department, and in the enforcement of the building code and zoning bylaws.

Receives applications and issues permits to construct, improve, move and demolish buildings and structures within the Town; reviews plans for conformance with building and zoning codes; issues permits for occupancy, signs after all requirements have been met; collects fees; maintains office files for all permits and related documents.

Responds to inquiries from property owners, contractors, banks, real estate firms and the general public; interprets building and zoning code provisions to applicants; explains department procedures

Ayer, Massachusetts
Assistant Building Inspector/Zoning Enforcement Officer

OCT 2013
3:30pm JH

and assists applicants in completing required forms.

Inspects buildings and alterations to buildings under construction and upon completion to monitor compliance with the state building code, zoning bylaw, and other pertinent state and local regulations.

Investigates complaints of alleged violations and takes appropriate action as required. Issues notices and orders to rectify illegal or unsafe conditions and performs follow-up. Appears in court to testify when necessary.

Receives and reviews plans for building construction or alteration to determine compliance; keeps records of all inspections performed and approved plans.

Discusses construction methods and materials with builders, architects, engineers and developers in order to ensure compliance.

Performs duties of the building inspector in his/her absence.

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

Recommended Minimum Qualifications

Education and Experience

High school graduation; plus five years experience in the supervision of building construction or design; Associate's Degree in a field related to building construction or design preferred; or any equivalent combination of education and experience.

Special Requirements

Massachusetts Class D Motor Vehicle Operator's License required.
Massachusetts Construction Supervisor's License and State certification required.

Knowledge, Ability and Skill

Knowledge. Thorough knowledge of the materials and methods of building construction; thorough knowledge of the state building code, local zoning bylaws and other applicable state statutes, rules and regulations, and bylaws. General knowledge of the accepted requirements for fire prevention, light, ventilation and safe egress; as well as general knowledge of other equipment and materials essential for safety, comfort and convenience of the occupants of a building or structure; plus whatever other requirements of experience and knowledge are deemed necessary by the Town, or State certification.

Ability. Ability to read and interpret blueprints, drawings and plans. Ability to prepare

OUT 1. 2013
3:30pm
JH

necessary diagrams. Ability to read and enforce regulations firmly, tactfully, and impartially. Ability to maintain complete and accurate inspection records and to prepare reports. Ability to communicate effectively in oral and written form.

Skill. Skill in all of the above listed tools and equipment.

Physical Requirements

Frequent light to moderate physical effort demanded in making inspections. Major portion of shift spent in the field. Frequently required to climb and reach. Must be able to access all levels at a construction site. May be required to walk and stand approximately six hours per day. Vision must be correctable to "normal" ranges. Must be able to distinguish colors and judge distances and spatial relationships.

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

PUBLIC HEARING
PH LORDEN FLAMMABLE MATERIALS

- Mr. Ted Lorden of PH Lorden and Chief Pedrazzi will appear before the Board regarding an Amendment to their Flammable and Combustible Liquids, Flammable Gases and Solids Permit (See attached)

Robert Pontbriand

From: Chief Pedrazzi [firechief@ayer.ma.us]
Sent: Tuesday, November 05, 2013 2:10 PM
To: 'Robert Pontbriand'
Subject: Lorden Oil info for Selectmans meeting packet
Attachments: Lorden Application for Amended License November 2013.pdf

Hi Robert,

Attached is the Application For License for the upgrade to Lorden storage at 69 Fitchburg Rd. I will have the License for signature by the Chair with me on Tuesday night. Do you know if Janet has the legal ad that was in the paper for my records?

Sincerely;
Chief Pedrazzi



FP-2A
(Rev. 04-2010)

The Commonwealth of Massachusetts
City/Town of AYER

Application For License

Massachusetts General Law, Chapter 148 §13

New License Amended License

GIS Coordinates	
_____	LAT.
_____	LONG.
_____	License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 69 FITCHBURG ROAD PARCEL ID 0001000049
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: LAL INDUSTRIAL PROPERTIES

Address of Land Owner: 19 FITCHBURG ROAD

Use and Occupancy of Buildings and Structures: OFFICE AND GARAGE

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments
ORIGINAL LICENSE APRIL 16TH 2002
Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 14;
Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, Cubic feet	CONTAINER UST, AST, IBC, drums
<u>PROPANE</u>	<u>1A</u>	<u>200,000 GAL</u>		

EXISTING 270,000 GAL HEATING OIL, 20,000 GAL GASOLINE
AND 20,000 GAL DIESEL FUEL 2
100,000 GAL OF EXISTING PROPANE STORAGE

Total quantity of all flammable liquids to be stored: 270,000 GAL

Total quantity of all combustible liquids to be stored: 290,000 GAL

Total quantity of all flammable gases to be stored: _____

Total quantity of all flammable solids to be stored: 510,000 GAL

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 6)

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 200,000 GAL
List sizes and capacities of all aboveground containers used for storage: 4 - 30,000 GAL PROPANE TANKS
1 - 2,000 GAL PROPANE TANK 4 PROPANE DELIVERY TRUCKS EA 3000 GAL
60,000 GAL OF ASSORTED 500 GAL AND 1000 GAL HOME TANKS
- ❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: _____
List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: _____

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 2)

- ❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.4G: _____ Type/class of magazine used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.4: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 13)

- ❖ Maximum amount (in pounds) of Class 1.1: _____ Number of magazines used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____
- ❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, TED LORDEV, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Ted Lordev Date 10-31-13 Name TED LORDEV

Fire Department Use Only

I, Robert J. Pedrazzi, Head of the Ayer Fire Department endorse this application with my

Approval Disapproval

Signature of Head of the Fire Department [Signature]

Date 11/5/13

Recommendations: _____

October 21, 2013

VIA FAX (978) 970-4700
Nashoba Publications
Ayer, MA 01432

ATT: Rebecca

Please run the following Legal Notice for the following dates: November 1, 2013 & November 8, 2013.

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

The Ayer Board of Selectmen will be conducting a Public Hearing on November 12, 2013, at 7:15p.m. at the Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA re the amendment to the flammable and combustible liquids, flammable, gases, and solids license of Ted Lorden for L & L Industrial Properties; dba; Lorden Oil Company, 69 Fitchburg Road, Ayer, MA 01432 seeking to modify his current propane capacity to 200,000 gallons to accommodate residential small tanks/propane tanks, pursuant to Chapter 148 of the General Laws.

Pauline Conley, Chairman
Gary J. Luca, Vice-Chairman
Christopher R. Hillman, clerk
James M. Fay, Member
Jannice Livingston, Member
AYER BOARD OF SELELCTMEN

Thank you,

Janet Lewis, Administrative Secretary
Selectmen's Office

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

The Ayer Board of Selectmen will be conducting a Public Hearing on November 12, 2013, at 7:15 p.m. at the Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA re: the amendment to the flammable and combustible liquids, flammable, gases, and solids license of Ted Lorden for L. & L. Industrial Properties; dba; Lorden Oil Company, 69 Fitchburg Road, Ayer, MA 01432 seeking to modify his current propane capacity to 200,000 gallons to accommodate residential small tanks/propane tanks, pursuant to Chapter 148 of the General Laws.
Pauline Conley, Chairman
Gary J. Luca, Vice-Chairman
Christopher R. Hillman, clerk
James M. Fay, Member
Jannice Livingston, Member
AYER BOARD OF
SELELCTMEN

November 1, 8, 2013

PUBLIC HEARING [CONTINUED]
PARTRIDGE, CLASS II LICENSE AMENDMENT

- Mr. Partridge will appear before the Board seeking an amendment to his Class II License (See attached)

Shaun Partridge

BOS
6-18-13

TOWN OF AYER
Ayer Board of Selectmen
Public Hearing
 The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, June 18, 2013, at 7:15 PM at the Ayer Town Hall, 3rd floor meeting room, Main Street, Ayer, MA re: the application by Shaun Partridge for Partridge Auto Sales, Inc. seeking to amend his Class II license by increasing the auto sales from six (6) vehicles to fifty (50) vehicles on his property located at 42 Littleton Road, Ayer, MA, pursuant to and in accordance with provisions of Chapter 149 of the General Laws with amendments thereto.

Pauline Conley, Chairman
 Gary J. Luce, Vice-Chairman
 Christopher R. Pittman, Clerk
 James M. Fay, Member
 Janice L. Livingston, Member
 Ayer Board of Selectmen

June 7, 14, 2013

R E C E I V E D
 SEP 12 2013
 TOWN OF AYER
 SELECTMEN'S OFFICE

\$57.28 / Day
 \$114.56 / Total

Needs to be paid asap

Issue in

issued
 ✓ in full
 ✓ # 2407

PARTRIDGE AUTO SALES, INC.
 42 LITTLETON RD.
 AYER, MA 01432

2407
 53-7137/2113

9.13.13
 Date

Pay to the Order of Town of Ayer \$ 114.56

One Hundred Fourteen 56/100 Dollars

NORTH MIDDLESEX SAVINGS BANK
 Banking at its personal best

For [Signature] RP

1042 17384057 00188111

PUBLIC HEARING (Continuation)
Partridge Auto Sales, Class II License Amendment

- This Public Hearing was continued by the Ayer Board of Selectmen pending Mr. Partridge meeting with the Planning Board, which he did on August 1, 2013 at 7pm and the Planning Board is satisfied with his proposed parking plan. Enclosed are the Class II License Amendment Materials. Additionally, enclosed is an incident report from the Police Department for a July 15, 2013 incident regarding Mr. Partridge. (See Enclosed)
[FOR DISCUSSION/APPROVAL]

Susan Sullivan

From: Susan Sullivan <planning@ayer.ma.us>
Sent: Wednesday, October 09, 2013 6:50 PM
To: Jim Lucchesi; mark fermanian; Morris Babcock; rroper1947@comcast.net
Subject: FW: Status of Partridge Auto

FYI:

From: Susan Sullivan [<mailto:planning@ayer.ma.us>]
Sent: Wednesday, October 09, 2013 1:16 PM
To: 'Robert Pontbriand'
Subject: RE: Status of Partridge Auto

Robert,

The Planning Board met again with Mr. Partridge on October 3rd, 2013. Mr. Partridge supplied the engineered drawings showing; 50 car parking plan/spaces they had requested for the rear gravel parking area. The Planning Board then reviewed the memos of support from both the Building Inspector and Fire Chief (email dated Oct. 1st, 2013). They voted 3-0 to approve the parking plan as presented (Eng. Drawing # 6290P110 Acton Engineering). I will bring you a copy of this email as well as the memos of support and approved parking plan for your records.
Susan

From: Susan Sullivan [<mailto:planning@ayer.ma.us>]
Sent: Wednesday, August 07, 2013 12:29 PM
To: 'Robert Pontbriand'
Subject: RE: Status of Partridge Auto

Sorry....I came down twice to see you ...long story short: As I told Janet, The PB want him to come back with an engineered drawing of the lot (see no problems moving forward once he submits the plan.)

From: Robert Pontbriand [<mailto:ta@ayer.ma.us>]
Sent: Tuesday, August 06, 2013 1:27 PM
To: planning@ayer.ma.us
Cc: 'Fermanian, Mark'; 'Janet Lewis'
Subject: Status of Partridge Auto
Importance: High

Dear Susan,

Partridge Auto is scheduled to appear before the BOS this evening for a continuation of his Public Hearing for an Amendment to his Class II License.

He was referred to the Planning Board by the Building Commissioner and as you know he met with the Planning Board on August 1, 2013.

What was the outcome of that meeting? I was originally informed thru Janet by you last Friday that everything was in order from the Planning Board's perspective.

However, I want to confirm that he is all set for the BOS tonight or if there are still outstanding issues.

Would you kindly advise.

Thank you.

Susan Sullivan

From: Chief Pedrazzi <firechief@ayer.ma.us>
Sent: Tuesday, October 01, 2013 2:37 PM
To: 'David Maher'; ssullivan@ayer.ma.us
Cc: gvellante@ayer.ma.us
Subject: Partridge Auto Parking Plan

To all:

The Fire Department has no issues with the parking plan for Partridge Auto as presented in the Proposed Parking Plan dated 9/30/13 by Acton Survey& Engineering, Inc.

Sincerely;
Chief Pedrazzi

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3408 / Virus Database: 3222/6713 - Release Date: 10/01/13

MARKET

Public Notice

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court
Docket No. PL130057GA
Plymouth Probate and Family Court
32 Obery Street, Suite 1130
Plymouth, MA 02360
(508)747-6204

NOTICE OF PETITION FOR CHANGE OF NAME
In the matter of Charles Earl Edwards III of Bridgewater, MA

To all persons interested in the petition described: A petition has been presented by Charles E. Edwards III requesting that Charles Earl Edwards III be allowed to change his name as follows: **Pharaoh Lion Emperor I.** IF YOU DESIRE TO OBJECT THERETO, YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT PLYMOUTH ON OR BEFORE TEN O'CLOCK IN THE MORNING (10:00 AM) ON **07/01/2013.** WITNESS, Hon. Catherine P. Sabatis, First Justice of this Court.
Date: May 16, 2013
ROBERT McCARTHY
Register of Probate

June 7, 2013

Public Notice

NOTICE OF PUBLIC HEARING
TOWN OF PEPPERELL
In accordance with the provisions of MGL, Ch. 40A, Sec. 11, the Pepperell Planning Board will hold a public hearing on Monday, June 24, 2013 at 7:30p.m. at Town Hall, 1 Main St., Pepperell, MA 01463 on the application of Thomas Jenkins, P.O. Box 61, Pepperell, MA 01463 for a Special Permit for a Multi-family Residential Development to be located at 11 Tucker Street, Assessors Map 23 Lot 218, Urban Zoning District, under the provisions of Section 7900 of the Protective Zoning Bylaws. Copies of the application and any associated plans are available for review in the Office of the Town Clerk or Planning Board during regular business hours or may be viewed online at www.pepperell.ma.us/planning. Special services:

Public Notice

LEGAL NOTICE
In accordance with MGL Chapter 40A and the Townsend Zoning Bylaw, the Townsend Zoning Board of Appeals will hold a public hearing on Wednesday, June 19, 2013 at 7:00p.m. at Memorial Hall, 272 Main St. on the application of NH Signs on behalf of Energy North Group for a Variance under Zoning Bylaw §§145-52 and 145-66. The applicant is requesting a variance from the requirements of the sign bylaw to modify and increase illumination of the existing sign on the property located at 197 Main Street (Assessor's Map 26, Block 26, Lot 0). Parties wishing to speak in support of, or in opposition to, this application may do so in writing prior to the hearing, or at the hearing in person or represented by an agent or attorney. Copies of this application are available for review in the offices of the Town Clerk and Zoning Board Office during business hours.
William Cadogan
Chairman, Zoning Board of Appeals

May 31, 2013
June 7, 2013

Public Notice

PUBLIC NOTICE
TOWNSEND BOARD OF HEALTH
TITLE 5 REGULATION UPDATES
The Townsend Board of Health held a hearing on 1/14/2013, which was continued until and closed on 3/11/2013, to discuss and revise their subsurface sewage disposal regulations. The following is a summary of those revisions, per the requirements of MGL C11 S31: Section 10.9 was removed; permit expiration shall be determined by Title 5, Section 11.8 & 16.1.1 were removed; the aquifer overlay district will no longer dictate the offset to groundwater. Section 12.6.1 was removed; trench design/construction shall be determined by Title 5, Section 12.9.1 was revised; a 2,500 gallon two-

1BR in Pepperell Center, 1st flr, Avail 7/1. \$575/mo. No utils. No pets. Call 978-433-2478.

Missing Female Grey Cat from Pepperell MASS
Microchipped- REWARD
978-926-9257

Pepperell- large room, central location, no pets,
\$110/week
508-479-3006
978-433-6246

120 Motorcycles

2004 Harley Davidson Ultra Classic FLHTCU black 9,800 miles \$5,800.
Serious buyers!
BENDERS955@GMAIL.COM

434 Lost & Found

Missing Female Grey Cat from Pepperell MASS
Microchipped- REWARD
978-926-9257

510 Help Wanted General

7-D SCHOOL VAN DRIVERS
Ayer Shirley area
Village Transportation
8-422-6808

Public Notice

TOWN OF AYER
Ayer Board of Selectmen Public Hearing
The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, June 18, 2013, at 7:15 PM at the Ayer Town Hall, first floor meeting room, Main Street, Ayer, MA re: the application by Sean Partridge for Partridge Auto Sales, Inc. seeking to amend his Class II license by increasing his auto sales from six (6) vehicles to fifty (50) vehicles on his property located at 42 Littleton Road, Ayer, MA, pursuant to and in accordance with provisions of Chapter 140 of the General Laws with amendments thereto.
Pauline Conley, Chairman
Gary J. Luca, Vice-Chairman
Christopher R. Hillman, Clerk
James M. Fay, Member
Janalice L. Livingston, Member
Ayer Board of Selectmen

510 Help Wanted General

Groton School
Two Part Time Campus Security Officer Positions

Friday & Saturday - second shift (3PM - 11:30PM)

Sunday & Monday - third shift (11PM - 7:30AM)

The Buildings and Grounds Department is seeking two Campus Security Officers to join the Security Department. Applicants must possess a valid and unencumbered Massachusetts driver's license, a Massachusetts Class "A" firearms permit and First Responder/CPR training. Applicants will be required to successfully complete a physical ability test. Candidates will have a positive attitude with very good interpersonal skills for performing work duties among students, faculty, staff and guests on campus. Snow shoveling and occasional heavy lifting is required. These positions require 1-3 years previous experience in school or campus security, law enforcement, military police training or correctional officer training. A 10% shift differential is paid for second and third shifts. Please apply in person at the Buildings and Grounds Office, Groton School, Farmers Row (Route 111), Groton MA 01450 or download application at www.groton.org and email to b&g@groton.org or call Telephone # (978) 448-7541. Groton School is an equal opportunity employer.

DRIVERS

Starting Pay \$24.80/hour
Up to \$2,000
Starting Bonus!!!!
Liquefied Natural Gas (LNG) tank truck work. Immediate openings for F/T & P/T drivers, w/a minimum of 3 years CDL Class A semi-trailer experience. Teamsters Union. Requirements include: Class A license with tank & HAZMAT Endorsement, 3 years clean driving record and company drug screening. Must have in hand current DOT physical card and DOT long form as well

510

DETA (LA)
Full time busy! Miscell contract should b ing Autc product candidate ally ml Architec: Contrace able to w time fram problem lower fabricate while adhe document codes. Ret ing appro shop draw filled m .rallings, frames, e entry level candidate demonstrat

Wages are with exper time posit ing compa ing heal insurance, and

Please em and co employe from No agen

514 Hel Mel

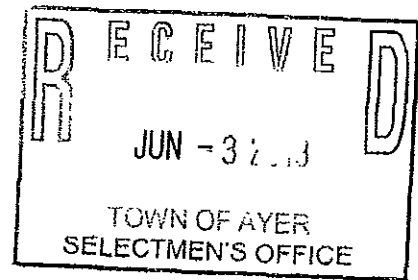
CHA's for As
Westford
7-3pm, 3-1
Full-time, Pe diem. Experie Living preferre tact 978 themdon@brikk

706 Bicy

BOY'S 24 INCH BIKE with dual 21 spd., MGX, Hon, \$45. 978

camcorder with Sony. Good!

Town of Ayer
Board of Selectman
Ayer, MA 01432



Partridge Auto Sales, Inc.
42 Littleton Road
Ayer, MA 01432

To whom it may concern.

Partridge Auto Sales would like a used car license for a total of 50 cars. We have approximately 44,000 square feet of land, with 31,500 square feet of land that is ready to be used for car sales. I have enclosed a diagram of our property showing the layout of the cars and the measurements of the land we will use for used cars.

Parking spaces are measured 7' X 17'. On the section of land we will use for car sales there are a total of 67 parking spaces. We have an additional area of land that will hold 53 spaces that we will not be using at this time.

I have enclosed a chart that I received from the building inspector showing the zoning of our property. We are located in a General Business zone in town. The specific use of the General Business zone is "Auto sales and service establishments, public garages, filling stations." The building inspector said this was zoned perfectly for the business I am proposing.

We currently have a used car license for up to 6 cars and we have no complaints about the operation of our business.

Thank you
Sean Partridge
Partridge Auto Sales, Inc.

A-1 A-2 Q12 DB QB LI HI HCS

2.29	Ancillary and supporting storage of mobile medical vehicles	NP	NP	NP	NP	NP	NP	NP	P
2.30	Ancillary and supporting temporary (not to exceed 2 years) modular office space	NP	NP	NP	NP	NP	NP	NP	P
2.31	Ancillary and supporting swimming pool	NP	NP	NP	NP	NP	NP	NP	P
2.32	Ancillary and supporting newsstand or cafeteria (food service)	NP	NP	NP	NP	NP	NP	NP	P
2.33	Ancillary and supporting training/educational center for the public	NP	NP	NP	NP	NP	NP	NP	P
2.34	Ancillary and supporting helipad	NP	NP	NP	NP	NP	NP	NP	P
3.0	Agricultural / Outdoor Uses								
3.1	Farming, horticulture, forestry nurseries, greenhouses, and sale of on premise raised produce	P	P	P	P	P	P	P	NP
3.2	Domesticated animal keeping for resident's uses with related structures at least 20 feet from rear and side lot lines	P	P	P	NP	NP	NP	NP	NP
3.3	Golf courses, ski, camping or swimming facilities with incidental sales for patrons	SPZ	SPZ	SPZ	SPZ	P	P	NP	NP
3.4	Commercial removal of sod, stone, loam or other earth products for the elsewhere within the town	SPB	SPB	SPB	SPB	SPB	SPB	P	NP
4.0	Commercial Uses								
4.1	Hotels, motels and inns	SPZ	SPZ	SPZ	P	P	P	P	NP
4.2	Funeral homes and mortuaries	NP	NP	NP	SPZ	P	NP	NP	NP
4.3	Retail stores, showrooms, bakeries	NP	NP	NP	P	P	NP	NP	NP
4.4	Retail consumer service establishments such as but not limited to barber shops, appliance repair shops, dry cleaners	NP	NP	NP	P	P	NP	NP	NP
4.5	Restaurants, cafes, taverns and other food and beverage establishments	NP	NP	NP	P	P	P	NP	NP
4.6	Workshops for custom or on-premise sales goods	NP	NP	NP	P	P	P	NP	NP
4.7	Offices, office buildings	NP	NP	NP	P	P	P	NP	NP
4.8	Banks and other financial institutions	NP	NP	NP	P	P	P	NP	NP
4.9	Theaters, clubs, and other places of indoor commercial amusement and assembly	NP	NP	NP	P	P	P	NP	NP
4.10	Commercial or public parking areas	NP	NP	NP	P	P	SPZ	SPZ	NP
4.11	Auto sales and service establishments, public garages, filling stations	NP	NP	NP	SPZ	P	NP	NP	NP
4.12	Wholesaling and distribution	NP	NP	NP	NP	SPZ	P	P	NP
4.13	Uses accessory to permitted uses	NP	NP	NP	P	P	P	P	NP

June 4, 2013

Nashoba Publications
Public Spirit

**Re: Public Hearing Legal Notice
Partridge Auto Sales, Inc.**

Dear Rebecca:

Please release the following Legal Notice for the periods of June 7, 2013 and June 14, 2013.

TOWN OF AYER
AYER BOARD OF SELECTMEN
PUBLIC HEARING

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, June 18, 2013, at 7:15p.m. at the Ayer Town Hall, first floor Meeting Room, Main Street, Ayer, MA re the application by Sean Partridge-for Partridge Auto Sales, Inc. seeking to amend his Class II License by increasing his auto sales from six (6) vehicles to fifty (50) vehicles on his property located at 42 Littleton Road, Ayer, MA pursuant to and in accordance with provisions of Chapter 140 of the General Laws with amendments thereto.

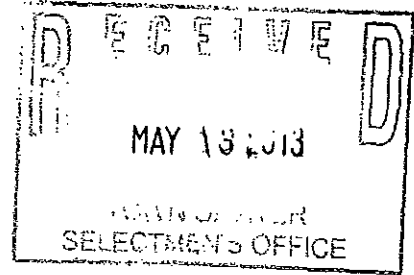
Pauline Conley, Chairman
Gary J. Luca, Vice-Chairman
Christopher R. Hillman, Clerk
James M. Fay, member
Jannice L. Livingston, member
AYER BOARD OF SELECTMEN

Thank you,

Janet Lewis, Secretary

J-21-15

7:30



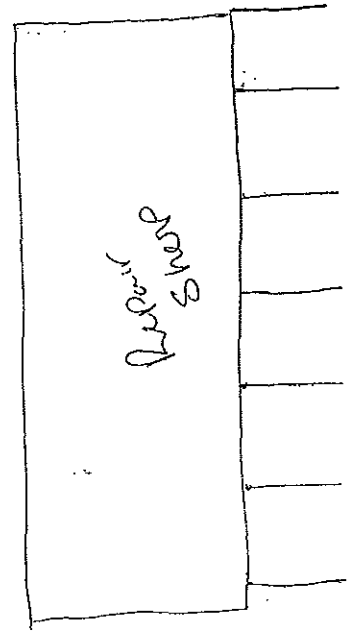
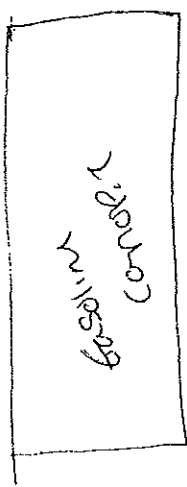
Town of Ayer,
Board of Selectman

To whom it may concern,

I would like to amend my current used car license. I would like to increase the number of cars from 6, to 50 based on the measurements of the space I will use. My lot size is approximately 44,000 square feet, I will use approximately 21,000 square feet for auto sales. I calculate a total of 61 parking spaces, at 8' per space. The cars will be displayed along both sides of the parking lot and in the back yard.

Sincerely,
Sean Partridge

Rt RA



75'

8' per parking space = 9 spaces

Total of 61 Parking Spaces

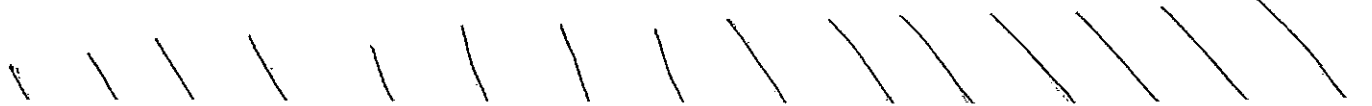
8' per parking space = 18 spaces

150'

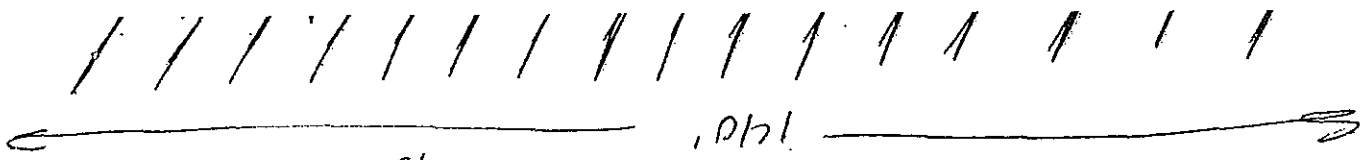


8' per parking space = 17 spaces

140'



171'
8' per parking space = 17 spaces



Call Date: 07/15/2013 - Monday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
1530		Initiated - TRAFFIC /MOTOR VEH. CO	TRAFFIC WARNING ISSUED	2	
Call Taker: D1 - ROCHE, VICTORIA					
Location/Address: CARLTON CIR					
Initiated By: 32 - CALLAHAN, MATTHEW					
Unit: 32 CALLAHAN, MATTHEW					
Arvd-15:30:00 Clrd-15:37:56					
Vehicle Entered By: 07/15/2013 1533 D1 - ROCHE, VICTORIA					
Modified By: 07/15/2013 1558 D1 - ROCHE, VICTORIA					
Vehicle: GRY 2003 BMW SE 530I Reg: PC MA 489EP1 VIN: WBADT63443CK31364					
Operator: PARTRIDGE, SEAN S @ 28 WEST ST Apt. #5B - AYER, MA 01432-1379					
Race: W Sex: M OLN: MA S17497868					
Owner: PARTRIDGE, KELLEY A @ 6 BEECH RD - WESTFORD, MA 01886-2350					
Narrative: 07/15/2013 1537 ROCHE, VICTORIA					
Modified By: 07/15/2013 1558 ROCHE, VICTORIA					
NO SEARCH W/M 1 OCC NO PLATES ON VEHICLE. REGISTERED TO THE PARTRIDGES.					
AC/76					

POLICE CHIEF WILLIAM MURRAY
Middlesex County Interagency Mutual Aid Agreement

- Chief Murray will appear before the Board seeking Board approval of the Ayer Police Department's participation in the Middlesex County Interagency Mutual Aid Agreement (See attached)



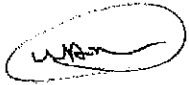
AYER POLICE DEPARTMENT

54 Park Street · Ayer, Massachusetts 01432-1161
Tel. (978) 772-8200 · Fax (978) 772-8202



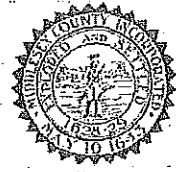
William A. Murray
Chief of Police

MEMORANDUM

To: Board of Selectmen
From: Chief William A. Murray 
CC: TA Pontbriand, file
Date: November 5, 2013
Re: Middlesex County MOU

I respectfully request that the Town of Ayer enter into the Middlesex County Interagency Mutual Aid Agreement. Should the need arise, this agreement would give our officers the authority to take police action outside the territorial boundaries of Ayer in communities that have also adopted the agreement. It would increase the availability of law enforcement resources to the Town and remove the necessity to appoint other Town's officers as Specials. The agreement is a win-win for all participants, has been vetted by Kopelman and Paige (in their representation of communities who have already joined), and has been deemed valid by the SJC in its decision in *Commonwealth v. Bartlett*.

Thank you for your consideration!



Massachusetts Interagency Mutual Aid Agreement

***Sponsored by: Middlesex Chiefs of
Police Association***

The signatory Municipal Police Departments of the Commonwealth of Massachusetts and contiguous communities, all acting through their respective Chiefs of Police and other authorized signatories, referred hereinafter collectively as "the Parties," witness:

WHEREAS, the Parties to this agreement ("Agreement") recognize that, in certain situations the ability of police officers to exercise sworn police powers outside of the territorial limits of the municipality where such officers are regularly employed may be desirable and necessary in order to preserve officer safety and protect the lives, safety, and property of the public of each participating community; and

WHEREAS, Chapter 40, Section 8G, of the Massachusetts General Laws, duly accepted by each of the Parties, authorizes cities and towns that have accepted its provisions to enter into agreements with other cities and towns to provide mutual aid and support; and

WHEREAS, each Party desires to enter into an agreement that sets forth mutually agreeable terms and conditions for the furnishing of law enforcement mutual aid for the exercise of police authority by police officers of each Party within the territorial limits of each other Party;

NOW THEREFORE, the Parties hereto mutually agree as follows:

Section 1.0 Purpose & Authority

This Agreement constitutes an agreement by, between, and among the Parties to establish a strategic working partnership to address public safety concerns including but not limited to: providing mutual aid for the member police departments because of terrorist or enemy action; natural disaster; unusual occurrence, including but not limited to fire, flood, storm, earthquake, landslide, aircraft accident, search or rescue operations; other natural or man-caused incidents requiring exceptional police action; school or workplace violence; riot; mob action; civil disturbance; demonstration; urban insurgency; impaired driving; drug distribution; electronic & cybercrime; combating violent street gangs and associations; as well as any law enforcement operations that require more sophisticated investigation on a regionalized basis or any situation threatening the peace and tranquility in the Parties' jurisdictions.

In order to address these public safety concerns, the Parties hereby agree to have sworn police officers from each department empowered to operate with full police powers, including the power of arrest, in each signatory community, as authorized under M.G.L. c. 40, § 8G. This type of agreement allows sworn police officers from each signatory community to cross into the geographical jurisdiction of any other

signatory community to carry out official police business under the authority of M.G.L. c. 37, § 13; M.G.L. c. 40, § 8G; M.G.L. c. 41, §§ 95, 98, 98A, 99; and similar statutes. Such extraterritorial exercise of police powers is authorized under this Agreement in both mutual-aid-request and self-activation situations, as defined herein. Nothing in this Agreement is intended to be construed to limit the lawful authority of police officers to make arrests or exercise police powers outside of this Agreement.

Section 2.0 Definitions

For purposes of this Agreement, the following terms shall be defined as set forth below:

- a. Chief of Police: A Party's chief law enforcement officer; includes functional equivalent of Chief of Police, whether denominated "Director," "Commissioner," "Superintendent," or similar title.
- b. Commanding Officer: A Party's Chief of Police, designee of the Chief of Police, or Police Officer in charge of a shift
- c. Official Request: A request for police assistance or for the exercise of Police Powers made by one Party of one or more other Parties under the terms of this Agreement
- d. Party: City, town, or other political subdivision that has executed this Agreement through its Chief of Police and/or other authorized signatory. A Party may be located within, or be contiguous to, the Commonwealth of Massachusetts. The Parties are listed in Attachment A, which may be revised from time to time as Parties join and withdraw from this Agreement.¹
- e. Police Officer: On-duty sworn municipal police officer regularly employed as such by or in any Party; for purposes of this Agreement, Chiefs of Police shall be the only Police Officers considered on-duty at all times.
- f. Police Powers: All police powers granted by municipalities to Police Officers regularly employed as such, including but not limited to the power of arrest
- g. Receiving Party: A Party receiving police assistance or in which one or more Police Officer(s) regularly employed as such by another Party is exercising Police Powers in accordance with this Agreement
- h. Self-Activation: The exercise of Police Powers within the territorial limits of any Party by any Police Officer regularly employed as such by any other Party under the terms of this Agreement in the absence of an Official Request

¹ Absence of a Party from Attachment A will not vitiate its status as a Party as long as this Agreement has been signed on its behalf and it has not withdrawn from this Agreement as provided herein.

- i. Sending Party: A Party that provides police assistance under the terms of this Agreement or that regularly employs one or more Police Officers who exercise Police Powers within the territorial limits of any other Party under the terms of this Agreement

Section 3.0 Term of Agreement

It is the intent of the Parties to conduct this partnership on a continuing basis and to hold periodic reviews as the Parties determine and deem necessary to ensure that the agreement is meeting the mutual aid wants and needs of all the Parties hereto. To this end, this Agreement shall be effective as the date of signature by the Parties and shall remain in effect thereafter until terminated. This Agreement will be maintained by the Secretary of the Middlesex Chiefs of Police Association or his or her designee.

Section 4.0 Termination of Agreement

Any Party may unilaterally withdraw from this Agreement at any time upon thirty (30) days prior written notice to all Parties.

Section 5.0 Amendment of Agreement

This Agreement may be amended from time to time only by a specific writing duly executed by all the Parties.

Section 6.0 Obligations and Responsibilities

6.01 Authority of Officers. The police powers, rights, privileges and immunities of any Police Officer employed by a Party to this Agreement shall extend within the territorial limits of each other Party to this Agreement while such Police Officer operates within the territorial limits of a Receiving Party in accordance with this Agreement, either pursuant to an Official Request or Self-Activation.

Operating within the territorial limits of a Receiving Party in accordance with this Agreement shall not cause a Police Officer to be considered for any purpose to be an employee of the Receiving Party. All employment rights, compensation, and benefits, including but not limited to the provisions of M.G.L. c. 41, § 111F and/or M.G.L. c. 32 § 94, shall remain the responsibility of the Sending Party. Notwithstanding the foregoing, any Party may be reimbursed in accordance with this Agreement and shall be entitled to the liability and indemnification protections as outlined herein.

Any citizen or other complaints or investigatory or disciplinary action arising out of the conduct of any Police Officer acting pursuant to this Agreement shall be treated as if the Officer had been operating within the territorial limits of the Sending Party at the time of the incident(s) or conduct at issue, unless otherwise agreed upon by the Sending Party and the Receiving Party.

6.02 Command and Control. When exercising Police Powers pursuant to this Agreement, Police Officers shall report as soon practically possible to the Commanding Officer of the Receiving Party (either in person or by radio or other alternative electronic device), and shall be under the direction and control of said Commanding Officer during the duration of the operation, event or incident in connection with which the Police Officer is exercising Police Powers.

The Commanding Officer of the Sending Party may recall the Police Officers and equipment of the Sending Municipality at the Commanding Officer's sole discretion.

6.03 Official Request. Any Party or its designee may request assistance from any other Party for any valid law-enforcement purpose, including but not limited to the purposes set forth above in Section 1.0 (Purpose & Authority) and as detailed below in Section 6.04 (Self-Activation). Any Official Request should include all pertinent information such as the nature, location, and expected duration of the event or situation giving rise to the Official Request; the number of Police Officers requested, including specialty requirements; the type of equipment and logistical support needed; the location to which Police Officers should report; and the name of the supervising officer or Commanding Officer to whom Police Officers should report. This Agreement is not intended to impose any obligation on any Party to respond to any Official Request.

6.04 Self-Activation. A Police Officer who observes or becomes aware of any violation of law within the territorial limits of any Party (including the Sending Party), may exercise Police Powers within the territorial limits of any Party for the purpose of preventing harm to the public; preventing loss or damage to property; engaging and stopping unlawful behavior; investigating possible criminal violations; increasing the capability of all Parties to protect the lives, safety, and property of people in the area; detaining offenders pending arrival of a Police Officer of the Receiving Party; enforcing or investigating any traffic-related incident or violation, whether or not it was originally observed in territorial limits of the Sending Party; and fresh-and-continued pursuit or exigent circumstances as otherwise authorized by law.

6.05 Notification to Receiving Party of Exercise of Police Powers. Whenever Police Powers are exercised by a Police Officer in a Receiving Party pursuant to this Agreement, the Commanding Officer of the Receiving Party shall be notified promptly, given the circumstances, by the Police Officer exercising the Police Powers so that arrangements can be made for any arrestee to be transported to the appropriate police headquarters to undergo the required administrative booking process in the jurisdiction where the arrest occurred or other appropriate administrative action may be taken. Such notification is intended to ensure that the Police Officer has properly recorded all of the facts and circumstances of the arrest or other police action, the appropriate biographical data of any involved persons, and the documentation necessary for the effective prosecution of any criminal defendant in a court of proper jurisdiction.

6.06 Powers of Police Officers. The powers of all the Police Officers operating under this Agreement shall remain in full force and effect for the duration of this Agreement unless any of the following should occur:

- ❖ Separation of service from the employing agency;
- ❖ The Chief of Police or designee of the Sending Party imposes a restriction on the Police Officer's authority to exercise Police Powers in accordance with this Agreement.

6.07 Costs and Expenses. Each Party to this Agreement shall assume and be responsible for paying all of its own personnel costs, including, but not limited to, the salaries, overtime premiums, and disability benefits payable to its own Police Officers, and all of its own equipment costs, including, but not limited to, damage to or loss of its own equipment, and use of fuel, ammunition and other expendable supplies; provided, however, that the Receiving Party, if an Official Request has been made, shall reimburse the Sending Party for such payments to the extent there is insurance coverage available to do so and/or any Federal or State grant funds and/or emergency funds (e.g., in the event of a natural disaster) available to do so.

Section 7.0 Liability and Indemnification

Each Party to this agreement agrees to assume its own defense and hold each other Party, its agents, servants, and employees harmless from all suits and claims brought by third parties arising out of any act or omission committed by that Party or its Police Officers.

Section 8.0 Successors and Assigns

The provisions of this Agreement shall be binding upon, and shall inure to the benefit of, the successors and assigns and the public body or bodies succeeding to the respective interests of the Parties.

Section 9.0 Section Headings

The headings of the Sections set forth herein are for convenience of reference only and are not part of this Agreement and shall be disregarded in constituting or interpreting any of the provisions of this Agreement.

Section 10.0 Execution of Counterparts

This Agreement may be executed in any number of counterparts. All such counterparts shall be deemed to be originals and together shall constitute but one and the same instrument.

Section 11.0 Stability of Agreement

This Agreement is to be construed in accordance with the laws of the Commonwealth of Massachusetts and the Ordinances/Bylaws of the Parties. This Agreement, along with any referred to Attachment(s), embodies the entire agreement between the Parties hereto, and each Party acknowledges that there are no inducements, promises, terms, conditions or obligations made or entered into other than those contained herein.

Section 12.0 Invalidity

If any provision of this Agreement is held to be illegal, invalid or unenforceable, the remaining terms and provisions shall not be affected and shall remain in full force and effect.

Section 13.0 Non-Waiver

The failure of any Party to enforce at any time any of the provisions hereof shall not be construed to be a waiver of such provisions or of the right of such party thereafter to enforce any such provisions.

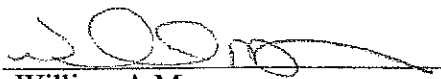
Section 14.0 Legal Advice

The Parties acknowledge that each has had the opportunity to fully discuss and review the terms of the Agreement with an attorney. Each Party further acknowledges that it has carefully read the Agreement, understands its meaning and intent, and freely and voluntarily assents to all of the terms and conditions hereof, and signs the Agreement of his or her own free will.

Section 15.0 Signatories

IN WITNESS WHEREOF, the Parties have executed this Agreement and caused it to be effective as to each Party as of the latest date set forth in the signature block for that Party,

City/Town of Ayer

By: 
Name: William A Murray
Title: Chief of Police
Duly Authorized

11/4/13
Date

By: _____
Name: Pauline Conley, BOS Chair
Title: [Mayor/Manager/Board of Selectmen]
Duly Authorized

Date

MR. DAVID MAHER, ECONOMIC AND COMMUNITY DEVELOPMENT

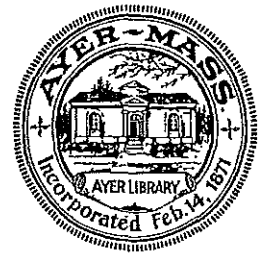
Mr. Maher and Ms. Hersey will appear before the Board regarding the following items:

- Drug Court Grant (See attached)
- Habitat for Humanity Project Status Update (See attached materials)
- TIF Update

Town of Ayer

Office of Community & Economic Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8221 ♦ 978-772-8208 (fax)



MEMORANDUM

TO: Board of Selectmen
FROM: Alicia Hersey, Community Development
DATE: November 6, 2013
RE: Drug Court Grant Contract

The Town has again been awarded funds from the Department of Health and Human Services in support of the SAMHSA program.

At this time we are requesting that the Board of Selectmen sign a contract with Advocates to continue the work that they have been doing with the Drug Court for a number of years now.

This contract is for a sum of \$318,460 and runs from September 30, 2013 until September 29, 2014.

Request the Board of Selectmen sign the contract in the amount of \$318,460 with Advocates to continue the work of the Drug Court grant

AGREEMENT

This agreement between the Town of Ayer (the "Town"), a municipal corporation duly organized under the laws of Massachusetts and having a usual place of business at One Main Street, Ayer, Massachusetts, and Advocates, Inc., ("the Advocates"), having its usual place of business at One Clarks Hill, Suite 305, Framingham, MA 01702 has been entered into the 30th day of September, 2013 (the "Effective Date").

Whereas the Town has been awarded a grant from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration as set forth in the Award Letter dated July 29, 2013, incorporated herein as Attachment A, the parties to this agreement agree to the following:

1. **Work Statement.** The Town agrees to engage Advocates to perform and provide to the satisfaction of the Town all duties and services set forth below and contained within the application for Federal Assistance submitted to the Department of Health and Human Services (Grant No. 5H79TI024162-02) incorporated herein as Attachment B, together with all duties and responsibilities of the Drug Court Coordinator and Case Managers as set forth in said position descriptions incorporated herein as Attachment C, in respect of the operation of the Ayer Drug Court ("Drug Court").

Advocates will assist the Court in delivery and evaluation of its Drug Court Program as described below and in all Attachments hereto. The goal of this Program is to reduce recidivism among offenders in towns served by the Ayer District Court by integrating court supervision with thoroughgoing assessment, service planning, case management, and treatment and collateral services. The program is designed to help participants reduce their use of alcohol and other drugs; reduce criminal behavior, and make progress in educational/vocational training or job placement.

Under the direction of the First Justice of Ayer District Court, Advocates will provide the following services for the Court and the participants and their families of the Ayer Drug Court:

- A. The Coordinator and Case Managers shall attend all Drug Court meetings, to provide information and recommendations as requested; attendance of each weekly session of the Drug Court following the Drug Court Team meeting; provision of information as requested by the Court.
- B. Written reports on the progress of each drug court participant, including results of urinalysis, in a format approved by the Ayer Drug Court. Reports will be submitted prior to each meeting of the Court for each participant scheduled for appearance at that session.
- C. Assist the Court in development of protocols and procedures that will ensure the sharing of information necessary for the cooperation of all parties in the operation of the Ayer Drug Court.

- D. The evaluation methods and requirements described in the Application shall be provided by Advocates. It shall also subcontract with an outside evaluator to conduct a process and an outcome evaluation of the Ayer Drug Court that meets federal guidelines using a management information system, in full compliance with all Application requirements. At minimum, an interim and final report must be made available to Ayer Drug court staff and the Town of Ayer for review.
- E. Delivery of all data required by the evaluator for the purpose of evaluating the operation of the Ayer Drug Court.
- F. The Drug Court Coordinator and Case Managers shall only be hired with the express approval of the Ayer District Court CPO and First Justice. The Coordinator shall be responsible for the drafting of all documents listed in Special Conditions, Award Notice, paras. 8, 9, and 10, subject to approval by the Drug Court Team.
2. **Term of Contract:** The term of this contract shall begin on the Effective Date and continue through September 29, 2014, unless extended in writing by the U.S. Dept. of Justice and the parties hereto. This contract may be discontinued by either party with written notification of 30 days. The Town may also terminate this contract without cause and without penalty upon written notice to the Contractor as per Section 4, Contract Termination or Suspension, within the Commonwealth's Terms and Conditions Form, incorporated herein as Attachment D.
3. **Time and Place of Performance:** All services outlined within this Agreement and its attachments shall be delivered at Ayer District Courthouse in Ayer, Concord District Courthouse in Concord or other facilities in the community.
4. **Compensation:** Subject to the Grant award the Town shall pay the contractor, and the Contractor shall accept from the Town, in full payment for duties and services rendered by the Contractor, compensation as outlined in the budget found under Federal in the Budget Summary in Attachment A. The total dollar amount of this Agreement shall not exceed \$318,460 during the term of this agreement. The sole funding source for this Agreement is the grant awarded to the Town by the federal Department of Health and Human Services (Grant No. 5H79TI024162-02). In the event that grant is terminated or otherwise suspended, the Town shall provide written notice to the Contractor of said event and both parties shall be immediately released from their obligations under this Agreement. Any funds from said grant which are not obligated at the end of the grant period may revert to the federal Office of Justice Programs.
5. **Manner of Payment:** Payment under this agreement shall be made by the Town to the Contractor upon submission of detailed and itemized invoices, in a form acceptable to the Town, for the services rendered by the Contractor. Invoices shall be billed on a monthly basis and must be reviewed and approved by the Ayer District Court CPO prior to submission to the Town for payment. Approved invoices shall generally be paid by the Town within 30 days of receipt.

6. **Written Reports:** The Contractor agrees to all Special Conditions contained within the Grant Award and shall provide the Town with data, information or reports required therein. The Contractor shall submit written quarterly reports to the Town on the status of the services within ten days of the following quarter end dates throughout the duration of this Agreement: September 30, December 31, March 31 and June 30.
7. **Confidentiality:** Drug Court client confidentiality shall be strictly maintained in compliance with applicable law and client records will only be released when accompanied by a valid release form or as otherwise permitted by law.
8. **Liability of the Town:** The Town's liability hereunder shall be to make all payments when they shall become due, and the Town shall be under no further obligation or liability. Nothing in this Agreement shall be construed to render the Town or any elected or appointed official or employee of the Town, or their successors in office, personally liable for any obligation under this Agreement.
9. **Independent Contractor:** The Contractor acknowledges and agrees that it is acting as an independent Contractor for all work and services rendered pursuant to this Agreement, and shall not be considered an employee or agent of the Town for any purpose.
10. **Indemnification:** The Contractor shall indemnify, defend, and hold the Town harmless from and against any and all claims, demands, liabilities, actions, causes of actions, costs and expenses, including attorney's fees, arising out of the Contractor's breach of this Agreement or the negligence or misconduct of the Contractor, or the Contractor's agents or employees.
11. **Insurance:** The Contractor shall obtain and maintain during the term of this Agreement the following insurance coverage(s) by companies licensed to do business in the Commonwealth of Massachusetts and acceptable to the Town.
 - A. **General Liability** of at least \$1,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$2,000,000 Annual Aggregate Limit.
 - B. **Automobile Liability** of at least \$500,000 Bodily Injury and Property Damage per accident.
 - C. **Workers' Compensation Insurance** as required by law.
 - D. **Professional Liability** of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.
 - E. **Umbrella Liability** of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.

All policies shall identify the Town as an additional insured (except Workers' Compensation) and shall provide that the Town shall receive written notification at least 30 days prior to the effective date of any amendment or cancellation. Certificates evidencing the above coverage shall be provided to the Town upon the execution of this Agreement. Each such certificate shall specifically refer to this Agreement and shall state that such insurance is as required by this Agreement. Failure to provide or to continue in force such insurance shall be deemed a material breach of this Agreement and shall be grounds for immediate termination.

- 12. Assignment:** The Contractor shall not assign, sublet or otherwise transfer this Agreement, in whole or in part, without the prior written consent of the Town, and shall not assign any of the moneys payable under this Agreement, except by and with the written consent of the Town.
- 13. Successor and Assigns:** This Agreement is binding upon the parties hereto, their successors, assigns and legal representatives. Neither the Town nor the Contractor shall assign or transfer any interest in the Agreement without the written consent of the other.
- 14. Compliance with Laws:** The Contractor shall comply with all Federal, State and local laws, rules, regulations and orders applicable to the work provided pursuant to this Agreement, such provisions being incorporated herein by reference, and shall be responsible for obtaining all necessary licenses, permits, and approvals required for the performance of such work.
- 15. Notice:** Any and all notices, or other communications required or permitted under this Agreement, shall be in writing and delivered by hand or mailed postage prepaid, return receipt requested, by registered or certified mail or by other reputable delivery service, to the parties at the addresses set forth on Page 1 or furnished from time to time in writing hereafter by one party to the other party. Any such notice or correspondence shall be deemed given when so delivered by hand, if so mailed, when deposited with the U.S. Postal Service or, if sent by private overnight or other delivery service, when deposited with such delivery service.
- 16. Severability:** If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.
- 17. Governing Law:** This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts and the Contractor submits to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.
- 18. Entire Agreement:** This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.
- 19. Religious Activities:** The Contractor certifies that funding received under this Agreement shall not be used to support any inherently religious activities such as worship, religious instruction, or proselytization. Any subcontracts or agents of the Contractor shall also certify to this paragraph.

Attachments

- A. Award Letter from US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, dated July 29, 2013;
- B. Application for Federal Assistance through Department of Health and Human Services (Grant No. 5H79TI024162-02);
- C. Position Descriptions: Drug Court Coordinator and Case Manager
- D. Commonwealth Terms and Conditions Form

IN WITNESS WHEREOF, the parties hereto set their hands and seals on the day and year first above written.

**TOWN OF AYER
Board of Selectmen**

**CONTRACTOR
Advocates, Inc.**

Pauline Conley, Chairman

By: Debra Sowul

Gary J. Luca, Vice Chairman

Printed Name: Debra Sowul

Christopher R. Hillman, Clerk

Title: Controller

James M. Fay, Member

Janice L. Livingston, Member

Certified As To Availability of Funds:

Lisa A. Gabree, Town Accountant



SAMHSA Drug Courts
 Department of Health and Human Services
 Substance Abuse and Mental Health Services Administration
 Center for Substance Abuse Treatment

Notice of Award

Issue Date: 07/29/2013

Grant Number: 5H79TI024162-02

Program Director:
 Hilary Curtis Ph.D

Project Title: Trauma Informed Care Enhancement to ACDCP

Grantee Address	Business Address
TOWN OF AYER Director of Community & Economic Development One Main Street Ayer, MA 014321373	Town of Ayer Director of Community & Economic Development One Main Street Ayer, MA 01432

Budget Period: 09/30/2013 – 09/29/2014

Project Period: 09/30/2012 – 09/29/2015

Dear Grantee:

The Substance Abuse and Mental Health Services Administration hereby awards a grant in the amount of \$324,960 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to TOWN OF AYER in support of the above referenced project. This award is pursuant to the authority of Authorized under Section 509 of the PHS Act, as amended and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Award recipients may access the SAMHSA website at www.samhsa.gov (click on "Grants" then SAMHSA Grants Management), which provides information relating to the Division of Payment Management System, HHS Division of Cost Allocation and Postaward Administration Requirements. Please use your grant number for reference.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact your Grants Management Specialist and your Government Project Officer listed in your terms and conditions.

Sincerely yours,

Eileen Bermudez
 Grants Management Officer
 Division of Grants Management

See additional information below

SECTION I – AWARD DATA – 5H79TI024162-02**Award Calculation (U.S. Dollars)**

Consortium/Contractual Cost	\$318,460
Other	\$6,500
Direct Cost	\$324,960
Approved Budget	\$324,960
Federal Share	\$324,960
Cumulative Prior Awards for this Budget Period	\$0
AMOUNT OF THIS ACTION (FEDERAL SHARE)	\$324,960

SUMMARY TOTALS FOR ALL YEARS	
YR	AMOUNT
2	\$324,960
3	\$324,986

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.243
EIN: 1046001078A2
Document Number: 12TI24162A
Fiscal Year: 2013

IC	CAN	Amount
TI	C96T511	\$324,960

TI Administrative Data:

PCC: DCT-MM / OC: 4145

SECTION II – PAYMENT/HOTLINE INFORMATION – 5H79TI024162-02

Payments under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM). Inquiries regarding payment should be directed to: The Division of Payment Management System, PO Box 6021, Rockville, MD 20852, Help Desk Support – Telephone Number: 1-877-614-5533.

The HHS Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. The telephone number is: 1-800-HHS-TIPS (1-800-447-8477). The mailing address is: Office of Inspector General, Department of Health and Human Services, Attn: HOTLINE, 330 Independence Ave., SW, Washington, DC 20201.

SECTION III – TERMS AND CONDITIONS – 5H79TI024162-02

This award is based on the application submitted to, and as approved by, SAMHSA on the above-title project and is subject to the terms and conditions incorporated either directly or by reference in the following:

- The grant program legislation and program regulation cited in this Notice of Award.
- The restrictions on the expenditure of federal funds in appropriations acts to the extent those restrictions are pertinent to the award.
- 45 CFR Part 74 or 45 CFR Part 92 as applicable.

- d. The HHS Grants Policy Statement.
- e. This award notice, INCLUDING THE TERMS AND CONDITIONS CITED BELOW.

Treatment of Program Income:
Additional Costs

SECTION IV – TI Special Terms and Condition – 5H79TI024162-02

REMARKS:

This award reflects acceptance of the attestation signed and dated January 7, 2013, by the authorized representative that there are no budget changes above 25% of the total previous budget period in response to the continuation application request.

SPECIAL CONDITION OF AWARD:

NONE

SPECIAL TERM OF AWARD:

NONE

STANDARD TERMS OF AWARD:

Refer to the following SAMHSA website for Standard Terms of Award:

<http://www.samhsa.gov/Grants/management.aspx#noa> (Standard Terms of Award)

Updated Key Staff change

The recipient is required to notify the GMO in writing if the Project Director (PD) or key personnel specifically named in the NoA will withdraw from the project entirely, be absent from the project during any continuous period of 3 months or more, or reduce time devoted to the project by 25 percent or more from the level that was approved at the time of award (for example, a proposed change from 40 percent effort to 30 percent or less effort). SAMHSA must approve any alternate arrangement proposed by the recipient, including any replacement of the PD or key personnel named in the NoA.

The request for approval of a substitute PD/key person should include a justification for the change, the biographical sketch of the individual proposed, other sources of support (if applicable), and any budget changes resulting from the proposed change. If the arrangements proposed by the recipient, including the qualifications of any proposed replacement, are not acceptable to SAMHSA, the grant may be suspended or terminated. If the recipient wants to terminate the project because it cannot make suitable alternate arrangements, it must notify the GMO, in writing, of its wish to terminate, and the GMO will forward closeout instructions.

Key staff (or key staff positions, if staff has not been selected) are listed below:

Hilary Curtis, Project Director @ 50% level of effort

REPORTING REQUIREMENTS:

Submission of a Semi-Annual Programmatic Report is due no later than the dates as follows:

1st Report - April 30, 2014
2nd Report - October 31, 2014

ALL PREVIOUS TERMS AND CONDITIONS REMAIN IN EFFECT UNTIL SPECIFICALLY APPROVED AND REMOVED BY THE GRANTS MANAGEMENT OFFICER

CONTACTS:

George Samayoa, Program Official

Phone: (240) 276-1622 **Email:** george.samayoa@samhsa.hhs.gov **Fax:** (240) 276-2970

Helen Zhou, Grants Specialist

Phone: (240) 276-2482 **Email:** helen.zhou@samhsa.hhs.gov **Fax:** (240) 276-2410

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		
* 2. Type of Application: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision		
* If Revision, select appropriate letter(s): [] * Other (Specify): []		
* 3. Date Received: Completed by Grants.gov upon submission.		4. Applicant Identifier: []
5a. Federal Entity Identifier: []		5b. Federal Award Identifier: 5 TI024162-02
State Use Only:		
6. Date Received by State: []		7. State Application Identifier: []
8. APPLICANT INFORMATION:		
* a. Legal Name: Town of Ayer		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 046-001-078		* c. Organizational DUNS: 9494821450000
d. Address:		
* Street1: One Main Street		
Street2: []		
* City: Ayer		
County/Parish: []		
* State: MA: Massachusetts		
Province: []		
* Country: USA: UNITED STATES		
* Zip / Postal Code: 01432-1373		
e. Organizational Unit:		
Department Name: []		Division Name: []
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: []		* First Name: David
Middle Name: []		
* Last Name: Maher		
Suffix: []		
Title: Director of Community & Economic Development		
Organizational Affiliation: []		
* Telephone Number: 978-772-8206		Fax Number: 978-772-8208
* Email: dmaher@ayer.ma.us		

ATTACHMENT C"
POSITION
DESCRIPTIONS

Staff and Organizational Experience

Capability and Experience: The Town of Ayer has successfully secured and managed two previous federal grants to support ACDCP. Since 1999, Advocates, Inc. has been the primary provider and the coordinating agency for the first federally-funded drug court in Middlesex County. Advocates currently works with the Ayer District Court in providing court-ordered substance abuse services, diverting individuals from the criminal justice system to treatment and recovery. Advocates, Inc. provides mandated mental health and substance abuse services to individuals referred by the United States Federal Probation Office as well as the Federal Bureau of Prisons. In 2009, Advocates worked with the Town of Ayer to successfully apply for

Advocates, Inc. • Suite 305 • 1 Clarks Hill • Framingham • MA • 01702 •

SAMHSA funding to extend key elements of the Ayer Drug Court to the Concord District Court to create ACDCP. In 2011, Advocates secured a SAMHSA health technology grant to implement the use of smart phones with ACHES technology for use with ACDCP drug court clients. Also in 2011, Advocates worked with the Massachusetts Trial Court to secure a three year BJA grant to fully implement the Ten Key Components of Drug Courts in the Concord District Court.

Advocates, Inc. provides psychiatry, medication evaluation, and therapy at the Worcester County Jail and House of Correction. Located in the jail, this multidisciplinary forensic team of social workers, nurses, psychologists and psychiatrists provides efficient and effective mental health treatment to more than 1,300 inmates, 24 hours per day, 365 days per year. Services include mental health screening, mental health services, psychopharmacological services, crisis intervention and forensic evaluation. This program provides approximately 7,800 mental health and suicide screenings per year. Fourteen per cent (14%) of the population, or 200 men, are prescribed psychiatric medications; 55% of those are prescribed anti-psychotic medications.

For the past ten years, Advocates has collaborated with the Framingham police department in developing and running the Framingham Jail Diversion Program (FJDP). This program is designed to divert persons with mental illness pre-arrest from the criminal justice system to appropriate services within the mental health and substance abuse treatment systems. The FJDP has accomplished this by cross-training police and psychiatric emergency staff; providing clinical assistance when police intervene in disturbances involving emotionally or psychiatrically troubled individuals; linking police dispatchers to specially trained clinicians 24 hours a day; coordinating monthly meetings between the criminal justice and mental health systems, and making appropriate referrals to mental health services. Through this program our clinicians have gained a unique perspective, understanding and experience of the criminal justice system and how mental health and substance abuse services can be delivered in a collaborative and integrated system. The jail diversion program model was successfully replicated in the town of Marlborough, Massachusetts, and the program recently received funding from the state Department of Mental Health and the BJA to replicate the model in the town of Watertown, Massachusetts.

Advocates, Inc. also includes diversity and cultural competency among its strategic and philosophical priorities. Advocates employs a chief diversity officer, and supports an agency wide Diversity Advocacy Council. All employees receive diversity training at time of new hire orientation, as well as at ongoing workshops and continuing education seminars.

Advocates was awarded SAMHSA funding for the Elder Community Care program, a collaboration between Advocates, BayPath Elder Services, The Samaritans, and Advocates for Human Potential.

Performance Assessment Team: The performance assessment for ACDCP will be conducted collaboratively by Dr. Mary Brolin from Brandeis University's Institute for Behavioral Health and Dr. Roxanne Van de Water, Chief Compliance Officer of Advocates, Inc.

Mary F. Brolin, Ph.D., Brandeis' lead evaluator, has worked in the substance abuse field for 22 years and specializes in research and evaluation with community-based programs using mixed methods. Her research interests focus on the intersection of substance abuse treatment services with other service systems. She currently leads the evaluations of the Massachusetts Access to Recovery (CSAT), Pine Street Inn Housing Supports Program (CMHS) and Massachusetts Screening, Brief Intervention and Referral to Treatment (MASBIRT) (CSAT) projects. Dr. Brolin was the lead evaluator of a CSAT adult drug court with Gosnold, Inc. on Cape Cod and a juvenile treatment drug court program with Phoenix House New England in

Springfield, MA. Dr. Brolin received a Ph.D. from the Heller School for Social Policy and Management, a Masters in Social Sciences from the University of Chicago, and a B.A. in sociology from Boston College.

Roxanne Van De Water, Ed.D., is the Chief Compliance Officer and a member of the Office of Quality Management for Advocates, Inc. In these roles, she is responsible for overseeing the development, implementation and monitoring of the effectiveness of Advocates' Compliance Program, and for contributing to the design and assessment of quality improvement initiatives for organizational operations and clinical services provided for populations contending with mental illness, substance abuse and developmental disabilities.

Brandeis University. Researchers from Brandeis University will collaborate on the performance assessment. Researchers from Brandeis University's Schneider Institutes for Health Policy (SIHP), Institute for Behavioral Health (IBH) work on a variety of substantive issues that bridge the two domains of health services and health policy research. SIHP includes experts with backgrounds in economics, medicine, public policy, public health, sociology, political science, psychology, and health care management. IBH focuses on the intersection of health, behavior, and systems of care. Its underlying premise is that these systems can be better used to promote healthier lifestyles and to assist individuals to engage in behaviors that lead to better health and mental health - a prevention and recovery orientation. Brandeis has a broad range of experience conducting evaluation studies, from the design stage to the analysis stage. Skills include quantitative, qualitative, and mixed-methods, and the ability to design formal experiments and suitable quasi-experiments, given the context and constraints applicable to any given policy, program, or individual project. IBH researchers have been evaluating SAMHSA programs for over 20 years including CSAT initiatives focused on criminal justice populations, homeless programs, SBIRT, and access to recovery; CMHS programs for homeless individuals; and CSAP initiatives on adolescent substance abuse prevention, HIV and substance abuse prevention, and projects involving infrastructure change to enhance the prevention infrastructure of the six New England states to address inhalant abuse. Researchers at IBH are also part of CSAT's Services Accountability Improvement System (SAIS) team, under subcontract to RTI International. In many of its studies, SIHP focuses on the special problems of our most vulnerable populations, including the elderly, homeless individuals, those with substance abuse problems, those with mental illness, and those involved in the criminal justice system. SIHP has the ability to undertake innovative research and move the findings into the real world of solution-oriented practice.

Staff positions for the project, role and level of effort and qualifications.

Agency	Position/Job Description	Individual	Level of Effort
Advocates, Inc.	Director of Outpatient & Emergency Services	Sarah Trongone	.05 FTE
Advocates, Inc.	Program Director	Hilary Curtis, Ph.D.	.50 FTE
Advocates, Inc.	Clinical Director	Kerin Raymond, To be hired LADCI, LOE	.25 FTE
Advocates, Inc.	Clinicians	To be hired	1.5 FTE
Advocates, Inc.	Peer Specialist	To be hired	.5 FTE

Agency	Position/Job Description	Individual	Level of Effort
Advocates, Inc.	Quality Management Data Coordinator	Roxanne Van De Water, Ed.D	.2 FTE
Advocates, Inc.	Data Collector	To be hired	.5 FTE
Evaluator	Evaluation Director	Mary Brolin	.177FTE

Sarah Trongone, .05 FTE is responsible for overall strategic direction of ACDCP (ACDCP), integration of these services with other programs and services at Advocates, Inc., and supervision of the ACDCP Program Director.

Hilary Curtis, Ph.D., .5 FTE, is the ACDCP Program Director and has worked at Advocates since 2009. She has her doctorate in Counseling and Developmental Psychology and Research Methods. She is a Licensed Mental Health Counselor with more than 20 years of clinical experience working in various outpatient settings. She is responsible for administrative management, fiscal oversight, program operations and supervision of the Clinical Director.

Kerin Raymond, .25 FTE, is the ACDCP Clinical Director at Advocates. She is a LADCI (licensed alcohol and drug counselor) with over 15 years of experience. She provides a thorough assessment of all incoming clients, and has access to past probation records including previous mental health and substance abuse evaluations and documentation of all prior treatment. This constitutes a solid clinical assessment and referral process.

Clinicians (2), one at 1.0 FTE and one at 0.5 FTE will conduct individual and group therapy sessions. In order to deliver gendered-responsive treatment, the plan is to hire one male and one female clinician.

Peer Specialist .5 FTE, will be a new female peer support person who will work with other ACDCP program staff in supporting clients and enhancing the treatment environment.

Data Collector, .5 FTE will work within ACDCP assisting with data collection, data entry, and assist with data reporting as needed for program operations and performance assessment.

Demonstrated experience and qualifications of key staff: The Advocates treatment staff are all qualified substance abuse clinicians with multiple years in the field of mental health and substance abuse treatment. ACDCP's Clinical Director is also the Massachusetts State Wide Drug Court Coordinator.

The ACDCP team has completed the Adult Drug Court Planning Initiative (DCPI) training sponsored by the Bureau of Justice Assistance (BJA) and delivered by the National Drug Court Institute (NDCI). The ACDCP team including the judge, prosecutor, defense attorney, probation department, law enforcement, ACDCP Coordinator and treatment provider have attended the multidisciplinary team trainings designed to support a program consistent with the Ten Key Components and responsive to the addiction treatment needs of offenders.

Clinicians and Peer Specialists hired for this project will receive complete trainings in the Ten Key Components of Drug Courts; all internal trainings for Advocates staff for cultural competency, corporate compliance, and HIPPA; training specific to ACDCP, and training in the evidence-based practices to be implemented under this proposal.

Advocates is invested in integrating the role of Peer Specialist in the recovery process. As clients advance through the program and achieve milestones in sobriety, they are encouraged as part of their recovery to develop as peer leaders and mentor incoming clients. This proposal will provide a natural step by offering employment as a Peer Specialist.



COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES

This Commonwealth Terms and Conditions for Human and Social Services form is jointly issued by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division/Division of Purchased Services (OSD), for use by Commonwealth of Massachusetts ("State") Departments and Contractor organizations that contract to provide Human and Social Services to Commonwealth clients. Any changes or electronic alterations by either the Department or the Contractor to the official version of this form, as jointly published by ANF, CTR and OSD, shall be void. Upon execution of these Commonwealth Terms and Conditions for Human and Social Services by the Contractor and filing as prescribed by CTR, these Commonwealth Terms and Conditions for Human and Social Services will be incorporated by reference into any Contract for Human and Social Services executed by the Contractor and any Department, in the absence of a superseding law or regulation requiring a different Contract form. Its provisions are in addition to the requirements contained in 808 CMR 1.00 and any Human and Social Services Contract(s), as well as any applicable requirements contained in 808 CMR 2.00 or 801 CMR 21.00. This Commonwealth Terms and Conditions for Human and Social Services is effective upon signature by the Contractor or July 1, 1997, whichever is later, and supersedes the Master Agreement and General Conditions approved by ANF on May 1, 1995:

1. **Contract Effective Start Date.** Notwithstanding verbal or other representations by the parties, unless otherwise permitted in 801 CMR 21.00, the effective start date of a Contract shall be the later of: the date the Contract was executed by an authorized signatory of the Contractor; the date the Contract was executed by an authorized signatory of the Department; the date specified in the Contract; or, the date of Secretariat authorization pursuant to M.G.L. c. 29, §29B.

2. **Payments And Compensation.** The Contractor shall only be compensated for performance delivered and accepted by the Department in accordance with 801 CMR 21.00, 808 CMR 1.00 and the specific terms and conditions of a Contract. All Contract payments are subject to appropriation pursuant to M.G.L. c. 29, §26, or the availability of sufficient non-appropriated funds for the purposes of a Contract, and shall be subject to intercept pursuant to M.G.L. c. 7A, §3 and 815 CMR 9.00. In no event shall payments under any Contract exceed the rate or maximum obligation of the Contract or be directed to off-set costs which are not reimbursable under Commonwealth contracts under any provision of law, including M.G.L. c. 7, §56 and 808 CMR 1.00. Upon determination by the Department that the Contractor has not provided services to the extent billed, has billed for services to any client who the Contractor knew or should have known was ineligible for services according to the terms of the Contract, has received duplicate or otherwise excess payments, has used Contract payments for non-reimbursable expenses or otherwise failed to perform in accordance with the terms of the Contract or 808 CMR 1.04, the Department may, upon reasonable notice and opportunity for correction, delay, disallow, set-off or recoup payments.

3. **Contractor Payment Mechanism.** The Contractor will be paid using the Payment Voucher System unless a different payment mechanism is agreed upon in the Contract. The Contractor shall timely submit invoices (Payment Vouchers - Form PV) and supporting documentation as prescribed in a Contract. The Department shall review and return rejected invoices within fifteen (15) days of receipt with a written explanation for rejection. Payments shall be made in accordance with the bill paying policy issued by the Office of the Comptroller and 815 CMR 4.00, provided that payment periods listed in a Contract of less than forty-five (45) days from the date of receipt of an invoice shall be effective only to enable a Department to take advantage of early payment incentives and shall not subject any payment made within the forty-five (45) day period to a penalty.

4. **Contract Termination Or Suspension.**

a. **Procedures.** A Contract shall terminate on the date specified in a Contract, unless this date is properly amended in accordance with all applicable laws and regulations prior to this date, or unless terminated or suspended under this Section upon any of the events or conditions set forth below. During the notice period for termination, the parties may agree to adjust the termination conditions, including the effective date contained within the notice of termination. Grounds and procedures for termination are: i) Immediate Termination: Absence of Funding or Emergency. A Contract shall terminate

immediately upon receipt of written notice of termination under the following conditions: the absence of appropriation, allotment, availability or authorization to the Department to discharge its obligations under the Contract in the fiscal year; a party's default, breach or any intervening casualty which poses an immediate threat to the life, health or safety of a client; the indictment of the Contractor or one of its principals or officers for an offense or offenses related to the provision of services; fraudulent activities on the part of the Contractor in its dealings with the Commonwealth; or the filing for bankruptcy by a Contractor. ii) Early Termination: Breach or Default, Reduction of Funding or Change in Law. A Contract may be terminated by providing notice of termination effective not less than forty-five (45) calendar days after date of notice under the following conditions: either party may terminate if the other party fails to fulfill its obligations under a Contract, including partial or complete non-performance of any provision; there is a reduction of funds appropriated for Contracts; or if any statute or regulation which governs performance is changed, differently interpreted by a court or other competent authority, newly enacted, adopted or promulgated so as to increase the burdens on either party in complying with the terms of the Contract significantly beyond those existing at the time of execution. For termination for breach or default, the party must specify the alleged default or breach in writing, allowing a reasonable time, but not less than thirty (30) calendar days, for correction. For termination due to reduction in funding, the Department may alternatively provide a conditional notice of termination with a proposed amendment to a Contract. iii) Termination without Cause. Either party may terminate the Contract without cause upon provision of written notice to the other at least sixty (60) calendar days before its effective date. Whether or not cause to terminate exists under any other provision, a party may elect to terminate without cause.

b. **Obligations Upon Termination.** Upon termination, the Contractor shall have the following obligations: i) Transfer of Clients. The Contractor shall use its best efforts to provide for the health and safety of clients being served under the Contract for a reasonable period of time, while the Department arranges for their transfer, and shall cooperate fully with the Department's efforts to transfer clients. ii) Client Records. Client records maintained pursuant to the Contract shall remain the property of the Contractor, subject to the provisions of Sections 6, 7 and 11d. However, where the Department has continuing responsibility to provide for the clients funded by the Contract, the Contractor must, upon request, provide to the Department or the new Contractor a copy of the client records of services as authorized by the Department. The reasonable cost of such transfer will be borne by the Department. iii) Reports and Other Documents. All documents, data, studies, and reports related to performance of the Contract shall be submitted to the Department by the Contractor, unless the Department directs otherwise. iv) Furnishings and Equipment. The termination of the Contract does not affect the Contractor's responsibilities with respect to equipment and other property under 808 CMR 1.00. v) Payment. The Contractor shall be paid for all authorized services performed up to the date of termination, subject to the provisions of Section 2. In addition, if the Department is required to remove clients from a facility operated by the Contractor and fails to remove said clients, unless otherwise agreed by the parties and subject to the conditions set forth in Section 2, the Contractor will be paid at the rate contained in its terminated Contract for continuing to provide services after the date of termination and until such clients are removed. vi) Subsequent Audit. If a Contract is terminated without inspection, review or audit, the Commonwealth retains the right to conduct an inspection, review, or audit and to disallow reimbursement or recover funds if any finding warrants such action.

5. **Written Notice.** Any notice shall be deemed delivered and received when submitted in writing, in person or when delivered by any other appropriate method evidencing actual receipt by the Department or the Contractor.

6. **Confidentiality.** The Contractor shall comply with M.G.L. c. 66A if the Contractor becomes a "holder" of "personal data". The Contractor shall also protect the physical security and restrict any access to personal or other Department data in the Contractor's possession, or used by the Contractor in the performance of a Contract, which shall include, but is not limited to the Department's public records, documents, files, software, equipment or systems.

7. **Record-keeping And Retention, Inspection Of Records.** The Contractor shall maintain records, books, files and other data as required by 808 CMR 1.00 and as specified in a Contract and in such detail as shall properly substantiate claims for payment under a Contract, for a minimum retention



COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES

period of seven (7) years beginning on the first day after the final payment under a Contract, or such longer period as is necessary for the resolution of any

litigation, claim, negotiation, audit or other inquiry involving a Contract. The Contractor shall maintain adequate written policies and procedures for accounting, management and personnel activities, including but not limited to conflict of interest and nepotism policies. The Department shall have access, as well as any parties identified under Executive Order 195, during the Contractor's regular business hours and upon reasonable prior notice, to such records, including on-site reviews and reproduction of records at a reasonable expense.

8. Assignment. No liability, responsibility, obligation, duty or interest under a Contract may be assigned, delegated, assumed or transferred, in whole or in part, without the prior written approval of the Department. However, the Contractor or a court appointed receiver shall be authorized to assign present and prospective claims for money due to the Contractor pursuant to a Contract in accordance with M.G.L. c.106, §9-318. The Contractor or court appointed receiver must provide sufficient notice of assignment and supporting documentation to enable the Department to verify and implement the assignment. Payments to third party assignees will be processed as if such payments were being made directly to the Contractor and these payments will be subject to intercept, offset, counter claims or any other Department rights which are available to the Department or the State against the Contractor.

9. Subcontracting By Contractor. Any subcontract entered into by the Contractor for the purposes of fulfilling the obligations under a Contract must be in writing, authorized in advance by the Department and shall be consistent with and subject to the provisions of these Commonwealth Terms and Conditions for Human and Social Services and a Contract. When the Department furnishes federal funds to the Contractor, which are being passed down to a subcontractor, the subcontract must contain a provision that the subcontractor will comply with applicable federal single audit, cost principles and administrative requirement standards. Subcontracts will not relieve or discharge the Contractor from any duty, obligation, responsibility or liability arising under a Contract. The Department is entitled to copies of all subcontracts and shall not be bound by any provisions contained in a subcontract to which it is not a party.

10. Affirmative Action, Non-Discrimination In Hiring, Employment and Service Delivery. The Contractor shall comply with all federal and state laws, rules and regulations promoting fair employment practices or prohibiting employment discrimination and unfair labor practices. The Contractor shall not discriminate in the delivery of services against any person who otherwise meets the eligibility criteria for services, or in the hiring of any applicant for employment nor shall any qualified employee be demoted, discharged or otherwise subject to discrimination in the tenure, position, promotional opportunities, wages, benefits or terms and conditions of their employment because of race, color, national origin, ancestry, age, sex, religion, disability, status as a Vietnam Era Veteran, sexual orientation or for exercising any rights or benefits afforded by law. The Contractor commits to purchasing supplies and services from certified minority or women-owned businesses, small businesses or businesses owned by socially or economically disadvantaged persons or persons with disabilities and agrees to comply with any affirmative action programs required by Executive Order 227, or any successor provisions.

11. Human and Social Services Contracting Provisions

a. Board of Directors Standards. If a non-profit organization, the Contractor shall comply with the principles in the Massachusetts Attorney General's "Guide for Board Members of Charitable Organizations" and with the standards for boards contained in the American Institute of Certified Public Accountants (AICPA)'s statements on auditing standards, as may be amended from time to time. Further, the Contractor specifically agrees that: i) members of the Contractor's management and immediate family (as defined in the AICPA's Financial Accounting Standards Board Statement number 57) will not comprise more than 30% of the voting members of the Contractor's board or any of the board's committees or subcommittees; and, ii) the Contractor's Board of Directors will approve the selection of the Contractor's audit firm, will annually review its executive director's or other more senior manager's performance and set that person's compensation by formal vote, and will meet as frequently as necessary to fulfill the Contractor's obligations under this section. Where the board meets less than two times during its fiscal year, the Contractor shall submit a description of its board structure and the dates of

each board and subcommittee meeting with its Uniform Financial Statements and Independent Auditor's Report (UFR).

b. Client Care and Use of Funds. The Contractor shall comply with all applicable provisions of law relative to the care of clients and the investigation and reporting of suspected client abuse or neglect. The Contractor shall provide the Department with copies of all legally mandated reports of client abuse or neglect where the alleged abuse or neglect was a direct or indirect consequence of the services rendered under a Contract and shall comply with all additional reporting requirements relative to client abuse and neglect contained in a Contract. The Contractor shall be subject to any standards cited in a Contract for the disqualification of candidates for positions where the candidates have criminal records, for establishing proof of criminal record information of candidates prior to hire and for addressing criminal activities subsequent to hire. The Contractor shall also comply with all laws and regulations and contractual provisions relative to the use of client funds, property or other resources.

c. Annual Financial Reporting Requirements. The Contractor and any subcontractor must comply with all applicable annual financial reporting requirements set forth in 808 CMR 1.00 and the instructions to the UFR. Any nonprofit Contractor receiving in excess of the threshold of federal funds through the Commonwealth, as set forth in Office of Management and Budget (OMB) Circular A-133 or successor provision, must comply with the Circular as well.

d. Publications. The Contractor shall not disseminate, reproduce, display or publish any report, map, information, data or other materials or documents expressly required or produced in whole or in part pursuant to a Contract, nor shall any such materials or documents be the subject of an application for patent or copyright by or on behalf of the Contractor, without the prior written consent of the Department. If the Contractor prepares, publishes or distributes any publication describing any services or programs the cost of which are funded at least in part by a Contract, then any such publication shall, unless the Department directs otherwise, contain a prominently displayed statement to that effect.

e. Additional Provisions Applicable to Contractors Receiving Federal Funds. If the Contractor receives federal funds from the Commonwealth through a Contract, then, in accordance with OMB Circular A-110 or successor provision, it further agrees to the following: i) Equal Employment Opportunity: All contracts entered into by the Contractor shall contain a provision requiring compliance with federal Executive Order 11246, as amended by Executive Order 11375, and as supplemented by regulations at 41 CFR part 60; ii) Contract Work Hours and Safety Act: If the Contractor employs mechanics or laborers to fulfill its contractual obligations, it will comply with sections 102 and 107 of 40 USC 327-333, as supplemented by 29 CFR part 5; iii) Clean Air Act and the Federal Water Pollution Control Act: If the Contractor receives more than \$100,000 in federal funds the Contractor agrees to comply with any applicable standards, order, or regulations issued pursuant to 42 USC 7401 et seq. and 33 USC 1251 et seq.; and iv) Byrd Anti-Lobbying Amendment: If a Contractor receives \$100,000 or more of federal funds through a Contract, by signing that Contract it certifies it has not and will not use federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 USC 1352. A Contractor shall disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award.

12. Waivers. Forbearance or indulgence in any form or manner by a party shall not be construed as a waiver, nor in any way limit the legal or equitable remedies available to that party. No waiver by either party of any default or breach shall constitute a waiver of any subsequent default or breach.

13. Risk Of Loss. The Contractor shall bear the risk of loss for any Contractor supplies, equipment or other materials used for a Contract and for all deliverables, records, documents, files, data, studies and reports which are in the possession of the Contractor or used by the Contractor in the performance of a Contract until possession and, where applicable, ownership and full legal title, to the deliverables, records, documents, files, data, studies and reports are transferred to and accepted by the Department.



COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES

14. **Forum and Choice of Law.** Any actions arising out of a Contract shall be governed by the laws of Massachusetts, and shall be brought and maintained

in a State or federal court in Massachusetts which shall have exclusive jurisdiction thereof.

15. **Contract Boilerplate Interpretation, Severability, Conflicts With Law, Integration.** Any amendment or attachment to any Contract which contains conflicting language or has the effect of deleting, replacing or modifying any printed language of these Commonwealth Terms and Conditions for Human and Social Services, as officially published by ANF, CTR and OSD, shall be interpreted as superseded by the official printed language. If any provision of a Contract is found to be superseded by state or federal law or regulation, in whole or in part, then both parties shall be relieved of all obligations under that provision only to the extent necessary to comply with the superseding law, provided however, that the remaining provisions of the Contract, or portions thereof, shall be enforced to the fullest extent permitted by law. All formal amendments must be executed by the parties and filed with the original record copy of a Contract as prescribed by CTR. The

printed language of the Standard Contract Form, as officially published by ANF, CTR and OSD, which incorporates by reference these Commonwealth Terms and Conditions for Human and Social Services, shall supersede any conflicting verbal or written agreements relating to the performance of a Contract, or attached thereto, including contract forms, purchase orders or invoices of the Contractor. The order of priority of documents to interpret a Contract shall be as follows: the printed language of the Commonwealth Terms and Conditions for Human and Social Services, the Standard Contract Form, the Department's Request for Response (RFR) solicitation document and the Contractor's Response to the RFR solicitation, excluding any language stricken by a Department as unacceptable and including any negotiated terms and conditions allowable pursuant to law or regulation.

IN WITNESS WHEREOF, The Contractor certifies under the pains and penalties of perjury that it shall comply with these Commonwealth Terms and Conditions for Human and Social Services for any applicable Contract executed with the Commonwealth as certified by its authorized signatory below:

CONTRACTOR AUTHORIZED SIGNATORY: _____
(signature)

Print Name: _____

Title: _____

Date: _____

Full Legal Organization Name: _____

Doing Business As: Name (If Different): _____

Tax Identification Number: _____

Address: _____

Telephone: _____ FAX: _____

INSTRUCTIONS FOR FILING THE COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES

A "Request for Verification of Taxation Reporting Information" form (Massachusetts Substitute W-9 Format), that contains the Contractor's correct TIN, name and legal address information, must be on file with the Office of the Comptroller. If the Contractor has not previously filed this form with the Comptroller, or if the information contained on a previously filed form has changed, please fill out a W-9 form and return it attached to the executed COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES.

If the Contractor is responding to a Request for Response (RFR), the COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES must be submitted with the Response to RFR or as specified in the RFR. Otherwise, Departments or Contractors must timely submit the completed and properly executed COMMONWEALTH TERMS AND CONDITIONS FOR HUMAN AND SOCIAL SERVICES (and the W-9 form if applicable) to the: Payee and Payments Unit, Office of the Comptroller, 9th Floor, One Ashburton Place, Boston, MA 02108 in order to record the filing of this form on the MMARS Vendor File. Contractors are required to execute and file this form only once.



CERTIFICATE OF LIABILITY INSURANCE

ADVOC-1

OP ID: SH

DATE (MM/DD/YYYY)

10/10/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Capstone Insurance LLC Suite 551 300 Washington Street Newton, MA 02458 Sandra O'Neil	Phone: 617-658-7100 Fax: 617-658-7198	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Advocates, Inc. Thomas Wagner 1 Clarks Hill, Suite 305 Framingham, MA 01702-8172	INSURER A: Philadelphia Indemnity Ins.		
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X	PHPK975937	02/01/2013	02/01/2014	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 3,000,000
						PRODUCTS - COMP/OP AGG \$ 3,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC:					\$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB					EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR				AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	<input type="checkbox"/> CLAIMS-MADE				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
A	HSO Professional		PHPK823293	02/01/2013	02/01/2014	Each Occ 1,000,000 Aggregate 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

Town of Ayer
 141 Washington Street
 Ayer, MA 01432

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

D. O'Neil

Robert Pontbriand

From: Alicia Hersey [ahersey@ayer.ma.us]
Sent: Wednesday, November 06, 2013 12:24 PM
To: 'Robert Pontbriand'
Cc: David Maher
Subject: Habitat
Attachments: 20131106112330744.pdf

Flag Status: Flagged

Hi Robert,

Janet helped me find the BOS meeting minutes, relating to Habitat. I have attached a copy for your reference. It looks as if the only contingency was that the property be a LIP unit. I have asked Maggie for a draft proposal concerning on Town permits and waivers (as noted in the minutes).

Robert I was just speaking with Janice Lesniak of DHCD about the application. She encouraged me to check with either Town Council or the Town's Procurement Officer concerning the transfer of this property to Habitat. She says that if the property value is over \$25,000, there are 30 B restrictions which must be followed.

Thanks,
Alicia

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, July 2, 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 7:05p.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, Members- James M. Fay and Jannice Livingston, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary.

Chairman Conley requested if there were any amendments to the Agenda of July 2nd. Town Administrator Robert Pontbriand requested the Board's permission to add under his report the following items:

- 10.4 Authorization to have MRPC conduct Street Lighting Study
- 10.5 Park Street cross-walk
- 10.6 Assistant Tax Collector's appointment.
- 10.7 Town Sign Policy
- 10.8 Approval of the 6-4-13 Minutes

Ms. Livingston requested Agenda Item #9 be moved to the end of the meeting

Mr. Fay requested the Board revisit the Boston Post Cane tradition

Chairman Conley advised to Agenda Item #5 Class II License-Partridge Auto Sales, Inc. continued to the August 6, 2013 Selectmen's Meeting.

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

7:10p.m. Selectman Hillman entered the meeting.

Announcements-

Mr. Fay reminded all to the Town's 4th of July Celebration being held on Saturday, July 6, 2013 starting at 3p.m. with a parade. Pirone Park activities include: crafts, games, food vendors, and other activities, and fireworks at dusk. Rain Date -Sunday July 8, 2013.

2013 4th of July Grand Marshall Recognition-The Board welcomed former Selectwoman Pauline Hamel to the meeting. Chairman Conley read into the record a Certificate of Recognition presented to Ms. Hamel for her many years of Public Service to the Town of Ayer/community. (see attached) Chairman Conley presented Ms. Hamel the Certificate, flowers and sash exemplifying "2013 Grand Marshall". Ms. Hamel paused a moment for a picture with the Board and thanked the Board and Committee for this honor bestowed upon her.

Public Input-

Mary Spinner-New Retiree Health Insurance Law- and Joint Appointment of Planning Board member. John Hillierd-extended his thank you to the Board for support at Town Meeting on June 30, 2013 re moratorium vote. Mr. Hillierd requested a Letter of Support to accompany his application for his Compassionate Care Facility (Medical Marijuana Dispensary) to be located on Central Ave, Ayer, MA. Chairman Conley requesting Mr. Hillierd comes before the Board formally to allow the Town residents to be aware of position. Mr. Fay disagreeing stating overwhelming support at Town Meeting was very clear by voters. Mr. Fay moved the Board authorize the Town Administrator to write a Letter of Support per Mr. Hillierd 's request, 2nd by Selectman Livingston, VOTE: Mr. Fay aye, Ms. Livingston aye, Mr. Luca aye, Mr. Hillman no, stating he did not have enough information, and Chairman Conley no for the same reason she stated above. Mr. Fay stating he likes that someone known locally is going to run business.

Department of Economic Development-The Board met with Alicia Hersey

1. The Board approved an amendment to extend the Fy-11 CDBG Grant ending of 6-30-13 to 9-30-13 allowing \$3K from the Grant Administration Budget into the Grant Housing Rehabilitation Budget to allow the completion of three additional housing units under this grant with all funds being disbursed.

Ms. Hersey advising to receiving initial approval of this re-allocation from DHCD. Motion to approve made by Mr. Fay, 2nd by Mr. Hillman VOTE: unanimous, so moved.

2. Lien Subordination Case #09-336-The Board voted to approve the Town's subordination of 36 Nashua Street, Ayer, MA's lien to obtain a new mortgage to lower the interest rate conditioned upon new mortgage not to exceed \$175,700.00. Motion to approve made by Mr. Luca, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Public Hearing-Class II Amendment -Partridge's Auto Sales Inc. rescheduled to August 6, 2013 at 7:15pm in order to allow Mr. Partridge to meet with the Planning Board. Motion to approve rescheduling made by Mr. Hillman 2nd by Mr. Fay, VOTE: unanimous, so moved.

Public Hearing-Pole Petitions -National Grid-Washington St. Plan #14748957 dated 5-24-13 and Washington & Howard Plan #14748957-1 dated 6-5-13.-The Board met with National Grid Representative Ken Doble-Chairman Conley opened the Public Hearing/s by requesting the Legal Notices be read by the Clerk of the Board, Mr. Hillman. Chairman Conley advising to Memo from Supt. Wetzel requesting DPW concerns being met prior to approval of petitions.

1. **Plan #14748957-install one (1) solely owned (SO) pole beginning at a point approximately 90 feet SW of the centerline of the intersection of Howard Street. The Board voted to approve this petition subject to Supt. Wetzel's approval and no sidewalk installation. Motion made by Mr. Fay, 2nd by Mr. Luca, VOTE: Mr. Fay aye, Mr. Luca aye, Ms. Livingston aye, Mr. Hillman aye, Chairman Conley no, 4-1- motion passes. Ms. Conley advising to not signing petition due to Supt. Wetzel not being present to address his concerns. Mr. Doble advising to this pole being a stub pole to keep line straight (support line at junction-guide wire)**

2. **Plan #14748957-1-Washington St. install P71-1 approximately 10 feet NE of P70 Washington St. The Board voted to approve this petition subject to Supt. Wetzel's approval and no sidewalk installation. Motion made by Mr. Luca 2nd by Mr. Fay, VOTE: Mr. Fay aye, Mr. Luca aye, Ms. Livingston aye, Mr. Hillman aye, Chairman Conley no, for the same reasons as above on Petition Plan #14748957, 4-1 motion passes. Mr. Doble advising this also being a support pole-stub pole with guide wire.**

North Central MA Habitat for Humanity -76 Central Ave., Ayer, MA-The Board met with Maggi Monroe Cassel, Director of No Central MA Habitat for Humanity. Mr. Pontbriand advised the Board to Directors of the No Central MA Habitat for Humanity recently voting to approach the Town of Ayer about moving forward with this project on Central Ave. Benefits to the Town: property goes back on tax role, would be included on inventory for affordable housing and positive reflection on Town. Mr. Pontbriand stating a vote of the Board of Selectmen authorizing the transfer of the 76 Central Ave. property is required and Habitat is requesting a waiver for water/sewer connection fees, building permits on this property. Mr. Pontbriand stating the success of a Habitat Home is dependent upon an Ayer Habitat Home Committee to be made up of residents, businesses in Town and to be advertised on Town's Website, Facebook and local media seeking interested people to serve on this Committee. Maggi stating Ayer is a perfect place to build, this being the 2nd Habitat in Ayer having successfully built a habitat in Ayer in 2005 on Shirley Street. Mr. Luca moved the Board vote to authorize the transfer of the 76 Central Ave., Ayer, MA property to North Central MA Habitat for Humanity contingent upon LIP Agreement, 2nd by Ms. Livingston, VOTE: unanimous, so moved. Draft Agreement to be prepared by Town Administrator and Maggi re Water/Sewer Permits, Building Permits, etc. Mr. Luca suggesting and welcoming Maggi meet with the CPA Committee re funding for this project. Maggi advising to project start up being scheduled for mid June 2014 and completed within six (6) months.

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

1. **Fire Station Reuse RFP-Mr. Pontbriand presented the Board the finalized RFP for the rehabilitation and reuse of the former Ayer Central Fire Station-14 Washington St., Ayer, MA. Mr. Luca Moved the Board vote to approve the RFP as presented, 2nd by Mr. Fay, proposals to be held harmless to vote of Town Meeting, VOTE: unanimous, so moved. Mr. Pontbriand advised the Board to the RFP to be advertised the weeks of 7-12-14 in the Lowell Sun and 7-19-13 in the Public Spirit as well as the State Central Register and various media i.e. Website/Face book. Closing date for submission of RFP's 7-26-13**

@ 4:00p.m. to the Town Administrator. Mr. Fay thanked all involved who assisted the project/process along, stating ten years in the making. Final Report available through David Maher.

2. Household Hazardous Waste Contract Amendment-Mr. Pontbriand updated the Board to this being the 2nd year of membership in HWCC on Devens and requested the Board's authorization of the Chairman's signature to allow the Town of Ashby to join which in turn will lower the annual membership cost for Ayer and the other communities. Mr. Luca moved the Board approve the Contract amendment and authorize the Chairmen's signature, 2nd by Mr. Hillman, Selectman Livingston stepped away from table and not present for vote, VOTE: 4-0, motion passes.

3. DEC Re-appointment -Martin Poutry- Mr. Pontbriand requested the Board reappoint Martin Poutry to a third term (4 year term July 1, 2013 to June 30, 2017) on the DEC from the Town of Ayer. Mr. Fay moved the Board vote to approve Mr. Martin Poutry's re-appointment on the DEC for 7-1-13 to 6-30-17, 2nd by Ms. Livingston, VOTE: unanimous, so moved. The Board requested the Town Administrator invite the Town's DEC members into a future meeting for status update.

4. MAPC-MRPC Letter-Street Light Assistance -Green Communities-The Board met with Carolyn McCreary, Chairman of the Green Communities-Ms. McCreary updated the Board to savings on Street lights through National Grid of up to 50% and perhaps an additional 25% through Montachusett Area Planning Commission. In order to receive these funds five (5) steps must be completed by Town of Ayer. Ms. McCreary requesting MRPC assist the Town through these steps/process, advising to an Energy Conservation Spread Sheet being prepared by National Grid re this study and advising to the Committee requesting the Board of Selectmen submit a letter for this assistance to MRPC. Mr. Luca moved the Board support the Green Committee effort by having the Town Administer prepare a letter to MRPC requesting their assistance with the street lighting proposal, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Park Street Cross-walk-The Board reviewed areas along Park street where existing cross-walks exist and areas where cross-walks have been requested. The Board set this back until a location has been determined.

Asst. Tax Collector's Appointment-The Board met with Tax Collector/Town Clerk John Canney. Mr. Canney updated the Board to process conducted re vacancy created in November 2012 by former Asst. Collector due to unforeseen, long term back/leg problem resulting in surgery and then retirement. Mr. Canney advising to reducing field of applicants down to five which were interviewed at the Ayer Library by him and Ms. Gintner, Town Treasurer. Mr. Luca questioned process involved and requested copies of questions asked as well as list of names of applicants interviewed. Mr. Canney advising the Board to his nominating Ramona Bean to the full-time position of Assistant Tax Collector effective May 16, 2013 to Fy-14. Mr. Canney introduced Ms. Bean to the Board advising to Ms. Bean employed by the City of Chelmsford Community Education Program and having all criteria for position i.e. fees collection and disbursement, Munis experienced, and public service, CORI compliant and the best qualified candidate for this position. The Board conducted a brief background question and answer session with Ms. Bean i.e. why Ayer, answer-closer to home and more money. Mr. Hillman question if there is a probationary period and advised, yes- six (6) months by Mr. Canney. Mr. Luca moved the Board vote to appoint Ms. Ramona Bean to the full-time position of Asst. Tax. Collector, contingent upon a six (6) month probationary period, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Mr. Luca advising Ms. Bean to this position a Union position and Ms. Bean acknowledging. The Board welcomed Ms. Bean to the position and looking forward to working with her.

Board of Selectmen Policies- Mr. Pontbriand updated the Board to putting policies in PDF- WORD document and all changes made put in red for final review by the Board.

Town Hall Break-room Petition dated 5-15-13-Mr. Pontbriand reviewed with the Board the Petition submitted by Town Hall Employees re condition of break-room and recommended changes. Mr. Pontbriand reviewed his recommendations with the Board submitted back to Town Hall employees. The Board stated their dismay re some of the items on the recommended list. The Board stated this is not a

Selectmen's issue it is a Town Administrator issue. Mr. Hillman stating just another example of a waste of time that the Board of Selectman has to deal with.

Boston Post Case-Mr. Fay requesting the Town's tradition be revitalized.

Selectman Hillman-clean up of rotary, Main Street, E. Main Street i.e. grass cutting, litter, etc.

Selectman Luca-Have Planning Board look into comprehensive Sign Policy i.e. political signage, dedicated location.

Mr. Pontbriand-need for future Selectmen's meetings: Mr. Pontbriand advised the Board to need to have additional meetings to address Collective Bargaining, litigation, Properties enforcement, Fire Chief's contract, grievances/appeals. Mr. Pontbriand suggested the Board meet on their off weeks of their regular Selectmen's meeting to bring some of these pressing issues to resolution. The Board after a short discussion agreed to meet on 7-9-13 re Collective Bargaining, 7-23-13 re legal issues and 7-30-12 re property enforcement, five (5) meeting in the month of July 2013.

10:05p.m. Mr. Luca moved the Board vote to extend their meeting by fifteen minutes, Ms. Livingston no.

10:05p.m. Meeting adjourned.

Date: _____

Christopher R. Hillman, Clerk
AYER BOARD OF SELECTMEN

MR. MARK WETZEL, DPW SUPERINTENDENT

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

- Crabtree Wastewater Pumping Station Upgrade \$64,538.00 (See attached)
- MassDEP Technical Services Assistance – Evaluation of Curbside Trash/Recycling
- Update on Town Street Sign Project
- Update on Main Street Lighting Project
- Water Main Capital Improvement Program Discussion (See attached) [Superintendent to Provide Additional material on Nov. 12, 2013]

Robert Pontbriand

From: Mark Wetzel [mwetzel@ayer.ma.us]
Sent: Wednesday, November 06, 2013 10:41 AM
To: 'Robert Pontbriand'
Subject: RE: DPW Report on Nov 12
Attachments: 11-12-13 Meeting Memo.pdf

Here is my memo for the meeting. I don't have anything for the packets. I am planning on preparing a memo regarding the scope and schedule for the curbside study and a PowerPoint presentation on the water system but I don't have all of the info yet.

Let me know if you need anything more specific.

-----Original Message-----

From: Robert Pontbriand [mailto:ta@ayer.ma.us]
Sent: Tuesday, November 05, 2013 11:17 AM
To: Mark Wetzel
Subject: DPW Report on Nov 12

Mark,

In addition to your items for the twelfth please add the following:

1. Update on Street Sign Project
2. Update on Street Light Replacement Project
3. Water Mains. BOS would like a list of the major water main priorities in the Town as well as estimated costs and timeline. (Some of this is in your Capital Plan)

Are you available to meet at 1pm tomorrow?

Thank you.

R

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: November 12, 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** - Attached is the Agreement with Weston & Sampson CMR of Peabody, MA for the Crabtree Wastewater Pumping Station, in the amount of \$64,538 for signature by the Chairman.
2. **MassDEP Technical Services Assistance - Evaluation of Curbside Trash / Recycling** - The Town was awarded 60 hours of technical assistance from the Massachusetts DEP to evaluate the costs / benefits of a curbside trash and recycling contract for the Town. The BOS has done some preliminary analysis, and this is an opportunity to perform a detailed evaluation by a Solid Waste Professional. Irene Congdon from the MassDEP will attend the meeting to present the proposed scope of work and answer questions.
3. **Update on Town Street Sign Project** - As requested by the Board
4. **Update on Main St Street Light Project** - As requested by the Board
5. **Water Main Capital Improvement Program** - The Town water system has approximately 47 feet of pipe ranging in size from 4-inch to 16 inch diameter. Approximately 40 % of the pipe is unlined cast iron and a majority of the pipes were installed in 1898. In addition, approximately 17 miles of pipe is AC-Transite pipe installed from the late 50's until the 70's. This type of pipe has an expected life span of 70 years. In addition, there are numerous "dead-end" water mains in the system resulting in water quality problems, low pressures and service reliability issues. The DPW is in the process of developing a systematic infrastructure improvement program that will allow the Town to begin upgrading the aging infrastructure.

2014 ALCOHOL LICENSE APPLICATION RENEWALS

- Attached are all of the 2014 Alcohol License Application Renewals. The Board is respectfully requested to vote to approve the application renewals so that they can be sent to the ABCC for processing.
- The licenses are then returned to the Board of Selectmen for issuance. Per BOS policy NO ALCOHOL LICENSE(s) will be issued if there are any outstanding taxes and/or outstanding water, sewer, or other municipal lien.
- All licensees must be current on all taxes and liens and pay the license fee prior to December 31, 2013 in order for the license to be issued. Failure to do so will result in the license being held in the BOS Vault and the ABCC and Ayer Police Department will be notified.

MEMO

To: John Canney, Town Collector
Stephanie Gintner-Town Treasurer
Pam Martin-office Manager DPW

From: Janet Lewis

Re: Town of Ayer 2014 License Renewals

Date: 11-8-13

Please review the following licensees for outstanding bills, taxes, liens and advise the Selectmen's Office of those licensees who have unpaid status by November 22, 2013. The Board of Selectmen will be taking up License renewals at their 12-3-13 Meeting.

2014 ALL ALCOHOL: Package Stores

<i>Ayer Package Store</i>	<i>48 Main St., Ayer, MA</i>	<i>\$3,000</i>
<i>Traffic Circle Liquors-d/b/a Jack-O-Lantern</i>	<i>2 Littleton Rd., Ayer, MA</i>	<i>\$3,000</i>
<i>Barnum Road Liquors Inc-Prit Patel</i>	<i>1 Barnum Road, Ayer, MA</i>	<i>\$3,000</i>

Restaurants

<i>Carlin's Restaurant</i>	<i>7 Depot Sq., Ayer, MA</i>	<i>\$3,000</i>
<i>Tiny's Restaurant</i>	<i>Groton School Rd., Ayer, MA</i>	<i>3,000</i>
<i>Nashoba Club</i>	<i>14 Central av., Ayer, MA</i>	<i>\$3,000</i>
<i>Mango Grille Restaurant</i>	<i>38 Littleton Rd, Ayer, MA</i>	<i>\$3,000</i>
<i>Lucia's Restaurant</i>	<i>31 Main St., Ayer, MA</i>	<i>\$3,000</i>
<i>Page Moore -Billiard Café</i>	<i>31-47 Main St., Ayer, MA</i>	<i>\$3,000</i>
<i>Markoh's on Main Restaurant</i>	<i>37 Main Street, Ayer, MA</i>	<i>\$3,000</i>
<i>Shaker Hills Golf Club</i>	<i>Shaker Road, Ayer, MA</i>	<i>\$3,000</i>
	TOTAL	\$33,000.00

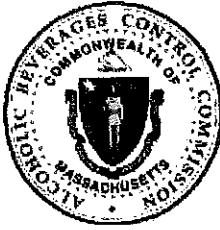
2014 BEER & WINE PACKAGE STORE RENEWAL

<i>Chung Gee Market</i>	<i>210-D W. Main St. Ayer, Ma</i>	<i>\$1,500</i>
<i>Vineyard</i>	<i>63 Park St., Ayer, MA</i>	<i>\$1,500</i>
<i>Archer's</i>	<i>70 Main St., Ayer, MA</i>	<i>\$1,500</i>
	TOTAL	\$4,500.00

2014 CLUB LICENSE RENEWAL

<i>Ayer Sportsmen's Club</i>	<i>255 Snakehill Rd., Ayer,MA</i>	<i>\$1,500.00</i>
------------------------------	-----------------------------------	-------------------

GRAND TOTAL \$39,000.00



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

OCT 28 2013

ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000001

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: NASHOBA REST INC

DOING BUSINESS A

ADDRESS 14 CENTRAL AVE.

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: RAKIP, R. JR.

TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS:

NASHOBACLUB@VERIZON.NET

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

1ST FLR: 3 ROOMS, KITCHEN, DINING ROOM, BAR 2ND FLR: 2 ROOMS FOR STORAGE. CELLAR FOR STORAGE

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Individual, Partner or Authorized Corporate Officer

DATE:

OCT 28, 2013

TELEPHONE NUMBER:

978 772 2736

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

042319260

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

DISAPPROVED:

(If disapproved explain)

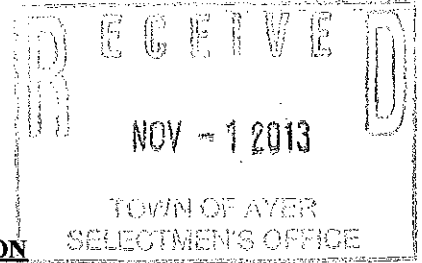
LOCAL LICENSING AUTHORITY

By:

DATE:



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



ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000002

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: CARLIN'S REST INC.

DOING BUSINESS AS

ADDRESS 7 DEPOT SQUARE

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: BERRY, DAVID

TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS:

Davidberry5@Comcast.net

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

ADDITION OF ENCLOSED PATIO TO REAR OF BUILDING.

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

David Berry, PRESIDENT
 Individual, Partner or Authorized Corporate Officer

#042051742

DATE:

11-1-13

TELEPHONE NUMBER:

978-771-1267

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:



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

NOV - 3 2013

ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000005

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: TINY'S DOUGHNUT TREAT, INC.

DOING BUSINESS A

ADDRESS GROTON SCHOOL RD.

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: MAURO, WILLIAM TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS: WILLIAMMAURO@VERIZON.NET

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

MAIN FLOOR: RESTAURANT, DINING AREA, KITCHEN AND STORAGE AREA. CELLAR: GENERAL STORAGE AREA

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

William Mauro

Individual, Partner or Authorized Corporate Officer

DATE: 11/4/2013

TELEPHONE NUMBER:

9787722917

042-530318

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

DISAPPROVED:

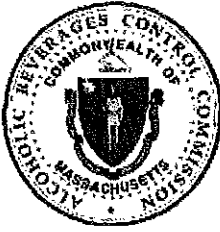
(If disapproved explain)

LOCAL LICENSING AUTHORITY

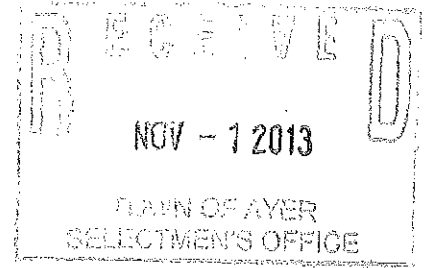
By:

DATE:

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (M.G.L. Ch. 138 § 16A)



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



OFF-PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000011

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: AYER PKG STORE INC

DOING BUSINESS A

ADDRESS 48 MAIN STREET

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: BERRY, LESTER
 W. III

TYPE OF LICENSE: Package Store

CATEGORY: All Alcohol

EMAIL ADDRESS:

Davidberry5@Comcast.net

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

ONE ROOM WITH WALK IN COOLER ON FIRST FLOOR, PUBLIC ENTRANCE/EXIT ON MAIN ST AND FULL SERVICE ENTRANCE/EXIT AT THE REAR. CELLAR AND ONE SECOND FLOOR ROOM FOR STORAGE

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

D. W. Berry, PRESIDENT
 Individual, Partner or Authorized Corporate Officer

DATE:

11-1-13

TELEPHONE NUMBER:

978-771-1267

#042045002

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

Please Check Below:

APPROVED:

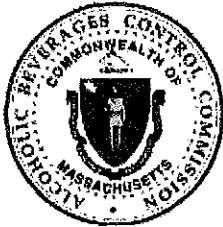
DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:



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

NOV - 4 2013

OFF-PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000013

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: BARNUM ROAD LIQUORS, INC

DOING BUSINESS A

ADDRESS 1 BARNUM RD

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: PATEL, PRIT

TYPE OF LICENSE: Package Store

CATEGORY: All Alcohol

EMAIL ADDRESS:

Netvar @ yahoo . com

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

SINGLE OPEN AREA CONTAINING 1500 SF

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below) *Remodeling Under construction Upgrade*

SIGNED BY

Prit Patel
 Individual, Partner or Authorized Corporate Officer

DATE:

978-340-4287
 TELEPHONE NUMBER:

460 94 5910
 EMPLOYER IDENTIFICATION NUMBER:
 (Note: **NOT** Individual Social Security Number)

Please Check Below:

APPROVED:

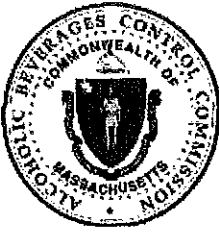
DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:



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

OCT 30 2013

ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000015 CITY OR TOWN AYER
 APPLICATION FOR RENEWAL: Annual LICENSED FOR 2014
 CLASS YEAR
 LICENSEE NAME: AYER GUN & SPORTSMEN'S CLUB
 DOING BUSINESS A
 ADDRESS SNAKEHILL ROAD
 CITY/TOWN: AYER STATE: MA ZIP CODE: 01432
 MANAGER: Briggs, Robert E TYPE OF LICENSE: Club CATEGORY: Wine and Malt Regular

EMAIL ADDRESS: AYER@SCREWDRIVER.NET

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Individual, Partner or Authorized Corporate Officer

Robert E. Briggs

978 772-9748

04-24499713

10-30-13

DATE:

TELEPHONE NUMBER:

EMPLOYER IDENTIFICATION NUMBER:
 (Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

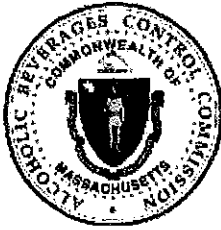
DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:



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

OCT 31 2013

ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000019

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: MANGO GRILL, INC.

DOING BUSINESS A

ADDRESS 38 LITTLETON ROAD

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: YAN, LI C.

TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS:

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

TWO STORY WOODEN BLDG. FIRST FLOOR OPEN TO LARGE DINING ROOM. KITCHEN, MENS ROOM AND LADIES ROOM. SECOND FLOOR: DINING ROOMS ELEVATOR. RESTROOMS

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Individual, Partner or Authorized Corporate Officer

331109159

DATE: 10/31/13

TELEPHONE NUMBER: 772-6988

EMPLOYER IDENTIFICATION NUMBER:
 (Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

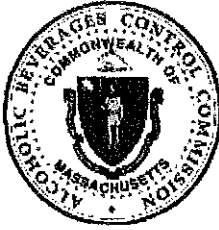
DISAPPROVED:

(If disapproved explain)

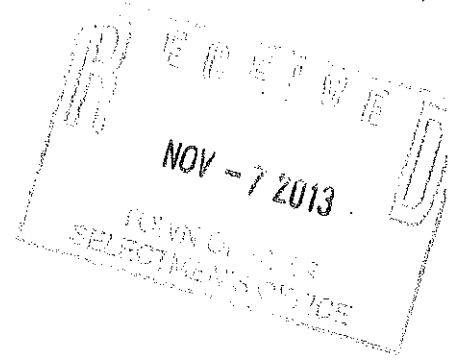
LOCAL LICENSING AUTHORITY

By:

DATE:



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



ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000021

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: PAGE-MOORE CAFE, INC

DOING BUSINESS AS BILLIARDS CAFE

ADDRESS 39 MAIN STREET *Suite 201*

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: MOORE, CALVIN E TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS: INFO@THEBILLIARDSCAFE.COM

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

2ND FLOOR BILLIARD ROOM WITH TABLES AND CHAIRS, BAR AREA, RESTROOMS. OFFICES.
 RETAIL AREA AND STAGE ...OUTSIDE PATIO DECK..

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Individual, Partner or Authorized Corporate Officer

DATE:

7/17/13

TELEPHONE NUMBER:

978. 772. 1300

04-3559839

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

DISAPPROVED:

(If disapproved explain)

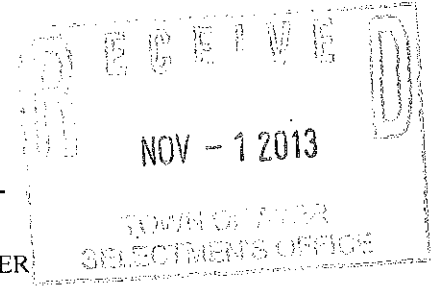
LOCAL LICENSING AUTHORITY

By:

DATE:



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



OFF-PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000022

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: AYER VINYARD LTD

DOING BUSINESS AS THE VINEYARD

ADDRESS 63 PARK ST

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: GENDRON,
JEFFREY P.

TYPE OF LICENSE: Package Store

CATEGORY: Wine and
Malt Regular

EMAIL ADDRESS: ejgendron@verizon.net

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

BEER AND WINE DISPALY AREA, WALK IN COOLER, MENS AND LADIES REST ROOMS, ENTRANCE AND EXIT ONTO PARK ST

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY


 Individual, Partner or Authorized Corporate Officer

DATE:

10/25/13

TELEPHONE NUMBER:

978 772 0696

EMPLOYER IDENTIFICATION NUMBER:
 (Note: **NOT** Individual Social Security Number)

204-256-644

Please Check Below:

APPROVED:

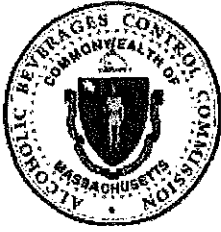
DISAPPROVED:

(If disapproved explain)

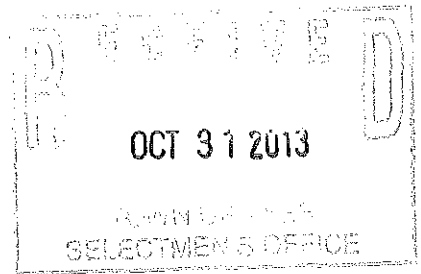
LOCAL LICENSING AUTHORITY

By:

DATE:



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



OFF-PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000023

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: G.W. ARCHER INC.

DOING BUSINESS AS

ADDRESS 70 MAIN STREET

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: ARCHER, GARY
W.

TYPE OF LICENSE: Package Store

CATEGORY: Wine and
Malt Regular

EMAIL ADDRESS:

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

SERVICE STATION/ CONVENIENCE STORE

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Gay W. Archer

Individual, Partner or Authorized Corporate Officer

DATE:

10/25/13

TELEPHONE NUMBER:

978-772-4030

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

04-3329808

Please Check Below:

APPROVED:

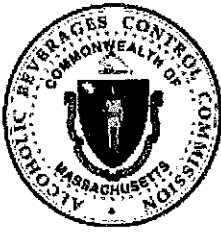
DISAPPROVED:

(If disapproved explain)

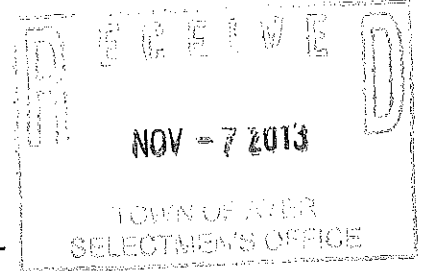
LOCAL LICENSING AUTHORITY

By:

DATE:



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



OFF-PREMISESLICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000024

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: KYUNG ENTERPRISES INC.

DOING BUSINESS AS CHUNG GE MARKET

ADDRESS 210-D WEST MAIN STREET

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: PARK, MUN HEE

TYPE OF LICENSE: Package Store

CATEGORY: Wine and Malt Regular

EMAIL ADDRESS:

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

ORIENTAL MARKET

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Mun Hee Park
 Individual, Partner or Authorized Corporate Officer

DATE:

11/7/13

978-772-5213

TELEPHONE NUMBER:

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

32-010-4155

Please Check Below:

APPROVED:

DISAPPROVED:

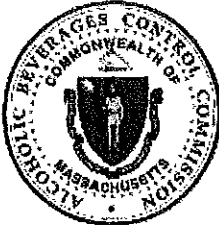
(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (M.G.L. Ch. 138 § 16A)



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

NOV - 8 2013

ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000026

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: MARK A DICICCO, ENTERPRISES LLC
 DOING BUSINESS A LUCIA'S TAVOLA RISTORANTE ITAL
 ADDRESS 31 MAIN STREET

CITY/TOWN: AYER

STATE: MA

ZIP CODE: 01432

MANAGER: DICCO, MARK A. TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS: Chefmarkah@gmail.com

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

1ST FLOOR OF WOOD & BRICK RENTAL UNIT-FAMILY RESTAURANT. (1800 SQ FT) . SERVICE SPACE 790 SQ.FT. INCLUDING KITCHEN. TWO ENTRANCES ONTO MAIN STREET AND WASHINGTON STREET. MENS & LADIES RESTROOMS

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Individual, Partner or Authorized Corporate Officer

DATE:

11/6/13

TELEPHONE NUMBER:

978 391 4837

27-1324541

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below.

APPROVED:

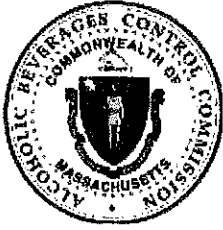
DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:



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

NOV - 8 2013

ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000027

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: MARK A DICICCO, ENTERPRISES LLC

DOING BUSINESS AS MARKOH'S ON MAIN

ADDRESS 43 MAIN STREET

CITY/TOWN: AYER

STATE: MA

ZIP CODE:

01432

MANAGER: DICICCO, MARK TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

A.

EMAIL ADDRESS: Chefmarkoh@gmail.com

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

1ST FLOOR OF WOOD & BRICK RENTAL UNIT MID BLOCK..FAMILY RESTAURANT WITH TWO ENTRANCES..SEATING FOR 25-3- AND SMALL BAR SEATING FOR 8-10..

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

Individual, Partner or Authorized Corporate Officer

DATE:

11/16/13

TELEPHONE NUMBER:

978-796-5260

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

27-1324541

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below:

APPROVED:

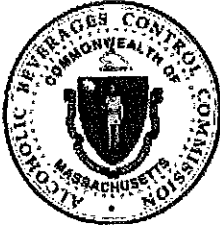
DISAPPROVED:

(If disapproved explain)

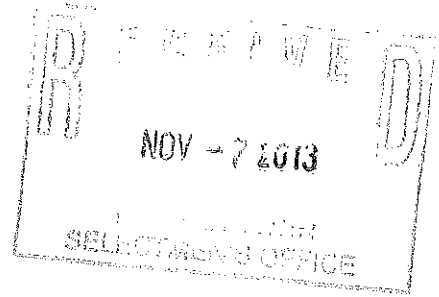
LOCAL LICENSING AUTHORITY

By:

DATE:



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



ON PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000028

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: SHAKER HILLS COUNTRY CLUB, CORP.

DOING BUSINESS AS ~~SHAKER HILLS GOLF CLUB~~ *Country Club*

ADDRESS 146 SHAKER ROAD

CITY/TOWN: AYER

STATE: MA

ZIP CODE:

01432

MANAGER: *upham, JoAnn* ~~VALAS, TIMOTHY~~ TYPE OF LICENSE: Restaurant

CATEGORY: All Alcohol

EMAIL ADDRESS: *joann@shakerhills.com*

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

THREE STORY WOOD BLDG; TEN ENTRANCES AND ELEVEN EXITS; TOTAL SQUARE FEE 14900, PATIO, 1300 SQUARE FEET

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY

[Signature]

Individual, Partner or Authorized Corporate Officer

DATE:

978-772-3330
 TELEPHONE NUMBER:

45-5320889

EMPLOYER IDENTIFICATION NUMBER:
 (Note: **NOT** Individual Social Security Number)

We the undersigned, attest that we are in possession (1) the certificate required by Chapter 304 of the Acts of 2004, signed by the building inspector and the head of the fire department for the above named license and (2) the certificate of liquor liability insurance required by Chapter 116 of the Acts of 2010.

Please Check Below.

APPROVED:

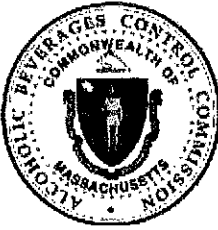
DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:



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

NOV - 8 2013

OFF-PREMISES LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 006000010

CITY OR TOWN AYER

APPLICATION FOR RENEWAL:

Annual

LICENSED FOR 2014

CLASS

YEAR

LICENSEE NAME: TRAFFIC CIRCLE LIQUORS, INC.

DOING BUSINESS AS JACK-O-LANTERN

ADDRESS 2 LITTLETON ROAD

CITY/TOWN: AYER

STATE: MA

ZIP CODE:

01432

MANAGER: FERMANIAN,
MARK

TYPE OF LICENSE: Package Store

CATEGORY: All Alcohol

EMAIL ADDRESS: www.jackolanternliquors.com

PLEASE ALSO VISIT OUR WEBSITE AND ENTER YOUR EMAIL ADDRESS

DESCRIPTION OF LICENSED PREMISES:

2 ROOMS AND A CELLAR. FRONT ROOM FOR RETAIL. REAR ROOM FOR STORAGE
 OFFICE. RESTROOM. FRONT ENTRANCE AND REAR ENTRANCE FOR DELIVERY

I hereby certify and swear under penalties of perjury that:

1. the renewed license will be of the same type for the same premises now licensed;
2. the licensee has complied with all laws of the Commonwealth relating to taxes; and
3. the premises are now open for business (If not explain below)

SIGNED BY ✓

[Signature]
 Individual, Partner or Authorized Corporate Officer

DATE: 11-4-13

TELEPHONE NUMBER:

978 772-4753

04 357 2615

EMPLOYER IDENTIFICATION NUMBER:

(Note: **NOT** Individual Social Security Number)

Please Check Below

APPROVED:

DISAPPROVED:

(If disapproved explain)

LOCAL LICENSING AUTHORITY

By:

DATE:

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (M.G.L. Ch. 138 § 16A)

TOWN ADMINISTRATOR'S REPORT

- St. Mary's One Day Beer and Wine License (See attached)
- APPOA Dispatchers FY 2014 Wage Reopener MOA (See attached)
- Town-Wide Phone System Upgrade Update (See attached)
- Old Fire Station Disposition Process (For Discussion)
- Town-Wide Cell Phone Inventory/Policy (See attached)
- BOS Meeting Agenda Format Samples (See attached)

Janet Lewis

From: St Mary [office@stmarysayer.org]
Sent: Tuesday, October 22, 2013 2:26 PM
To: bos@ayer.ma.us
Subject: Liquor License

Dear Ayer BOS,

St Mary Parish will be having a dinner on Sat, Nov 16th from 5:30 to 9PM and would like to sell beer and wine. The dinner will be roast pork, carrots and potatoes, salad and an apple spice cake for dessert!

Let me know if you need any further information.

Thank you in advance,

Betsy Diskin, Parish Business Manager

Saint Mary Parish

31 Shirley Street

Ayer, MA 01432-1295

Office: 978-772-2414

Fax: 978-772-0727

Email: office@stmarysayer.org

NUMBER

2013-2

FEE

-0-

THE COMMONWEALTH OF MASSACHUSETTS

TOWN of AYER, MA 01432

This is to Certify that St. Mary's Parish

NAME

Shirley Street, Ayer, Massachusetts 01432

ADDRESS

IS HEREBY GRANTED A LICENSE

For a One Day Beer & Wine License on Saturday, November 16, 2013
from 5:30p.m. to 9:00p.m. for a Parish Dinner.

Wine & Beer to be consumed in a designated area.

This license is granted in conformity with the Statutes and ordinances relating thereto, and
expires November 16, 2013 unless sooner suspended or revoked.

November 12, 2013

FORM 433



HOBBS & WARREN™

MEMORANDUM OF AGREEMENT

BETWEEN

THE TOWN OF AYER

AND

THE APPOA
(COMMUNICATIONS DIVISION)

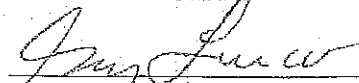
November 7, 2013

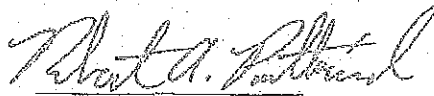
Whereas the Town of Ayer (TOWN) and the APPOA (Communications Division) (UNION) have been negotiating in good faith the terms for a wage reopener for FY 2014 as set forth by the terms mutually agreed to and set forth in the Collective Bargaining Agreement between the TOWN and UNION; therefore the TOWN and UNION mutually agree to the following terms of this Memorandum of Agreement subject to approval by the Ayer Board of Selectmen and ratification by the UNION with funding subject to appropriation by Town Meeting:

1. The TOWN and UNION mutually agree to a FY 2014 wage reopener in the amount of a two percent (2%) base wage increase for all APPOA Dispatchers for FY 2014 only, retroactive to July 1, 2013.
2. Upon execution of this Memorandum of Agreement, the negotiations for the FY 2014 wage reopener are officially closed by the TOWN and UNION.

Signed this 7th day of November, 2013.

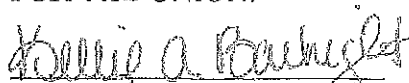
FOR THE TOWN:


Gary J. Luca, Vice Chairman
Ayer Board of Selectmen


Robert A. Pontbriand
Ayer Town Administrator

Date: Nov. 7, 2013

FOR THE UNION:


Detective Kellie Barhight


Officer Jennifer Bigelow

Date: November 7, 13

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: November 8, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

R. A. P.

SUBJECT: Town-Wide Phone System Upgrade Update

At the Special Fall Town Meeting on October 28, 2013, Town Meeting approved Article 5: Transfer(s) from Capital Stabilization: Town-Wide Telephone Upgrade in the amount of \$45,000.00 for the purposes of upgrading the Town's telephone systems for the DPW, Library, Police Station, and Town Hall.

The following is an accounting of the funding from Article 5 as of November 8, 2013:

DPW:	\$5,000.00 (Estimate/Currently revising proposal)
Library:	\$4,936.59 (Actual/System Ordered Nov. 1, 2013)
Police Station	\$25,000.00 (Estimate/Currently out to bid)
Town Hall:	\$5,036.00 (Actual/System Ordered Nov. 1, 2013)
<u>TOTAL:</u>	<u>\$39,972.59</u>

Once the DPW and Police Station systems have been selected, the final, actual total will be provided to the Board.

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

Thank you.

Cc: Town Accountant
Ayer Finance Committee
Ayer Capital Planning Committee

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: November 8, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Request for Authorization to Commence with Disposition of the Former Central Fire Station

Dear Selectmen,

With the passage of Article 1: Former Central Fire Station by the Special Fall Town Meeting on Monday, October 28, 2013, Town Meeting has authorized the Ayer Board of Selectmen to dispose of the Former Central Fire Station.

As the Board is aware, the disposition of the Former Central Fire Station is a process governed by MGL Chapter 30B which will require the Town to obtain an appraisal of the value of the property; establish an asking price for the property; establish any terms/conditions of the sale (if applicable); advertise and procure the sale of the property under the provisions of MGL Chapter 30B; negotiate the purchase and sale of the property between the Board and buyer; and execute any closing costs/procedures.

Additionally, there are some other considerations which must be planned for, most notable a storage location for various Town equipment and property currently stored in the Former Central Fire Station. A plan for relocating that storage and any associated costs must be developed.

Therefore, I am respectfully requesting that the Board authorize the Town Administrator to commence with the disposition of the Former Central Fire Station. Specifically as follows:

1. Prepare the plan and required documents for sale of the property for review by the Board on December 17, 2013.
2. Prepare the plan for the relocation and storage of any Town equipment/property currently stored in the building for review by the Board on December 17, 2013.
3. Prepare a proposed budget for any and all costs potentially associated with the disposition of the Former Central Fire Station as well the storage relocation plan (if applicable).

Thank you for your consideration. If you have any questions, please do not hesitate to contact me directly.

DATE: Nov. 8, 2013

TO: Ayer BOS

FROM: Robert A. Pontbriand, Town Administrator



SUBJECT: Townwide Inventory of Cell Phones/Electronic Devices and Monthly Charges

Data Compiled By: Cindy Knox, I.T. Systems Administrator

DEPT	PERSONNEL	ITEM	COST PER MONTH	FUNDING SOURCE
DPW	DPW SUPT	I-Phone	64	DPW Budget
DPW	D NELSON SR	Cell Phone	35	DPW Budget
DPW	K HARWOOD	Cell Phone	35	WWTP Enterprise
DPW	D NELSON JR	Cell Phone	35	Water Enterprise
DPW	P MARTIN	I-Phone	64	DPW Budget
DPW	J SHANAHAN	Cell Phone	35	WWTP Enterprise
DPW	B BOOMGAARDEN	Cell Phone	35	Water Enterprise
DPW	G CORMIER	Cell Phone	35	Water Enterprise
DPW	J LOOMER	Cell Phone	35	WWTP Enterprise
DPW	D JASPERSEN	Cell Phone	50	DPW Budget
DPW	R HUDSON	Cell Phone	35	WWTP Enterprise
DPW	B COPELAND	Cell Phone	35	Solid Waste Enterprise
DPW	R LINDE	I-Phone	65	Water Enterprise
DPW	D SCOTT	Cell Phone	35	WWTP Enterprise
DPW	D SCHWARTZ	Cell Phone	35	DPW Budget
DPW	SEWER SPARE	Cell Phone	35	WWTP Enterprise
DPW	A JACKSON	i-phone	50	Solid Waste Enterprise
DPW	T LAHTINEN	Cell Phone	35	DPW Budget
DPW	DPW SUPT	I-PAD	0	DPW Budget
DPW	R LINDE	I-PAD	40	Water Enterprise
Fire	Chief Pedrazzi	I-Phone	60	FIRE BUDGET
Fire	Chief Pedrazzi	I-PAD	0	NO MONTHLY FEE
Fire	Captain Johnston	flip-phone	33	FIRE BUDGET
Fire	Captain Fillebrown	flip-phone	33	FIRE BUDGET
Fire	Captain Farley	flip-phone	33	FIRE BUDGET
Fire	Captain Taylor	flip-phone	33	FIRE BUDGET
Fire	AMBULANCE	flip-phone	33	AMBULANCE ENTERPRISE
Fire	AMBULANCE COMPUTER	data card	37	AMBULANCE ENTERPRISE
Fire	AMBULANCE COMPUTER	data card	37	AMBULANCE ENTERPRISE
IT	Cindy Knox	i-phone	64	IT Budget
Parks	Parks Supervisor	I-Phone	58	Parks Annual Budget
Parks	Beach Staff	Cell Phone	42	Parks Annual Budget
Town Administrator	ROBERT PONTBRIAND	I-Phone	64	BoS Budget
Tree Warden	TREE WARDEN	i-phone	31	Tree Warden Budget
Police	Total Department	4 cell; 4 i-phone; 4 ipad	\$480 (for 12 devices)	Police Dept. Budget
Total Monthly Charges:			1346	

[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.

Policy Adopted by the Ayer Board of Selectmen: _____ (Date)

I, _____, have been assigned the following Town of Ayer cell phone/electronic device(s) _____ and received and understand the terms of the Town of Ayer's Cell Phone Use Policy.

Employee's Signature: _____ Date: _____

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: November 8, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: BOS Meeting Agenda Format Samples

As requested by the Board, attached are samples of various BOS Meeting Agendas from the following Towns:

- Town of Acton
- Town of Bolton
- Town of Concord
- Town of Groton
- Town of Harvard
- Town of Littleton
- Town Harvard

The issue(s) of the Ayer BOS Meeting Agenda over the last several years have been: length; assigning times for items; assigning times for how long an item should last; who and what is appropriate to come before the BOS; style and format in terms of presentation. I provide the above mentioned samples for the BOS to review consider and comment on.

In terms of assigning times to Meeting Agendas, in the Town of Ayer the only public body that regularly assigns times to their agenda items is the Conservation Commission due largely in part because they have specific Public Hearings. The BOS also has put times on its Public Hearings that are advertised.

Respectfully, the guiding principles for the BOS Meeting Agendas should be:

1. Appropriateness of the items for the BOS to consider (Items requiring votes; BOS Action; BOS Input and or BOS Direction)
2. A realistic amount of appropriate items in terms of available time to properly decide on the matter on the agenda.
3. Agendas should be designed to take no longer than two hours in Open Session whenever possible.

4. The format of the BOS Agenda should be a clear font on a single page with all required information per the OML.
5. Finally, the BOS may wish to consider the following basic format as in most cases, “simplicity is key to an effective meeting”.

Meeting Agenda:

Call To Order

Approval of Minutes (List Meeting Minute Dates)

Public Input

[Public Hearings if Needed]

Old Business (All Business from Previous Meetings requiring BOS Action)

New Business (Any New Business for future consideration by BOS, exception would be time sensitive items)

BOS Open Forum (To promote exchange and discussion among the BOS on Town matters)

Adjournment

I respectfully encourage the Board to look at other Town’s agendas for additional samples and ideas and kindly bring them to the meeting for further discussion.

Thank you.

Attachment(s)

BOARD OF SELECTMEN & SEWER COMMISSIONERS'

MEETING AGENDA

Francis Faulkner Hearing Room

October 21, 2013

7:00 P.M.

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 CHAIRMAN'S UPDATE/OPERATIONAL MINUTE

The Chairman will briefly update the Board. The Town Manager will provide a brief report.

2. 7:30 NORTHEAST COLLECTION, INC., CLASS I NON-DISPLAY CAR DEALER LICENSE, SUITES 1 & 2, 107 GREAT ROAD

See enclosed materials

3. 7:45 NURSING SERVICE DISCUSSION

4. 8:10 SITE PLAN, CVS CONTINUED FROM OCTOBER 7TH

The Proponents' will be seeking a continuance to November 4th at 8:20 p.m

SELECTMEN'S BUSINESS

5. ACTON LEADERSHIP GROUP (ALG)/FINANCE POINT OF VIEW

6. COMMUNITY PRESERVATION COMMITTEE (CPC) SUBMISSIONS – 1.)

Historic District Study and Design Guidelines and Standards and 2.) Housing Services 3.) Natural Resources, beach improvement, picnic tent NARA amphitheater elevated stage components and NARA bathhouse security upgrade 4.) Morrison Farm well, and irrigation system for community gardens, basket ball court renovations – Goward and Gardner playgrounds 5.) Parking Lot Improvements at the Arboretum and repairs to the board walk at the Arboretum

See enclosed materials

7. BOY SCOUT COURT OF HONOR, CONNOR SUMMERS, NOVEMBER 24TH SELECTMAN NEEDS TO BE ASSIGNED

See enclosed materials

SELECTMEN'S REPORTS

III. CONSENT AGENDA

8. ACCEPT BOARD OF SELECTMEN MINUTES, REGULAR AND EXECUTIVE SESSION, SEPTEMBER 9, 2013

See enclosed materials

9. COMMITTEE APPOINTMENT, SUZANNE BUCKMELTER, BOARD OF APPEALS, ASSOCIATE MEMBER, TERM TO EXPIRE 6/30/16

See enclosed materials

10. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

See enclosed materials

11. ACCEPT GIFT, PLANNING DEPARTMENT

See enclosed a gift of \$3,000.00 from CIP MCRT, Longview Meadows LLC (formerly Alexan Concord) to be used to pay for a traffic peer review consultant

See enclosed materials

12. REQUEST TO ALLOW MILL DAM TRUST TO RE-OCCUPY 99 GREAT ROAD AS A CLASS II NON-DISPLAY LICENSE

This will allow him to re-occupy the non-display Class II License at their previous location at 99 Great Road until such time as he is able to occupy the space at 107 Great Road, Suite 3

See enclosed materials

EXECUTIVE SESSION

ADDITIONAL INFORMATION

See enclosed correspondence that is strictly informational and requires no Board action

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda

November 4

November 18

Common Victualer and Full Liquor License Transfer.
Benjarong, 214 Main Street
Acton Memorial Library Long Range Plan
CVS continuance from October 21, 2013
Green Advisory Committee

Use Special Permit, #10/11-13-445, 848 Main Street
Jacob Abraham, Manufacture Fire Wood

PENDING MINUTES

PENDING COMMITTEE APPOINTMENTS

May 13, September 23
October 7

AWAITING VCC REVIEW AND RECOMMENDATION

Vandana Sharma – Interested in Sustainable Housing – applicant will sit in on Committee's to see what she feels would be appropriate for her interests

AWAITING BOS REVIEW AND RECOMMENDATION

H.W. Flood – NA Fire Station Task Force
Robert Puffer – NA Fire Station Task Force
Robert Ingram – NA Fire Station Task Force
Dale Chayes – NA Fire Station Task Force
Peter Balkus - NA Fire Station Task Force
Gary McCarthy – NA Fire Station Task Force
Maura Harrington – NA Fire Station Task Force
Malcolm MacGregor – NA Fire Station Task Force

Renato Nakagomi - Green Advisory Committee – JS
Aaron Goff – HDC- MG

Search

Board of Selectmen Agenda 10-10-13

[Printer-Friendly Version](#)

** Revised **

BOARD OF SELECTMEN AGENDA
Thursday, October 10, 2013, 7:00 p.m.
Town Hall

- Home
- About Bolton
- Emergency Management
- Online Payments
- Online Permits
- Bylaws & Regulations
- Forms
- Public Documents
- Job Opportunities
- Contacts Directory
- TV Schedule
- Subscribe to News
- Contact Us

1.	7:00 to 7:05 p.m.	Recommendation from Police Chief Alfano to sponsor Reserve Officer Dan Keller to the full time Police Academy
2.	7:05 to 7:10 p.m.	Recommendation from Police Chief Alfano for appointment of Detective Kim Barry to Police Sergeant
3.	7:10 to 7:15 p.m.	Recommendation from Police Chief Alfano to review and execute the Central Massachusetts Law Enforcement Council Mutual Aid Agreement (CEMLEC)
4.	7:15 to 7:35 p.m.	Discussion on transferring control of Route 117 to the Department of Transportation
5.	7:35 to 7:40 p.m.	Update from Parks/Recreation and 275 th Anniversary Committee on the Halloween Parade and Party and South Cemetery Lantern Light Tour
6.	7:40 to 7:45 p.m.	Request from Mary Riad, Bolton House of Pizza to place a sign at 626 Main Street
7.	7:45 to 7:50 p.m.	Request from Bolton Senior Housing Corporation to place a sign at 600 Main Street for the Senior Housing
8.	7:50 to 7:55 p.m.	Request from Bruce Slater to place two signs at the end of Interstate 495 ramps advertising Slater's Brick Oven Pizza and BBQ
9.	7:55 to 8:00 p.m.	Request from the Historical Commission to display plaques on town buildings within the Center National Register Historic District
10.	8:00 to 8:10 p.m.	Fire Department Update (Fire Chief Mentzer)
11.	8:10 to 8:15 p.m.	Town Administrator Report <ul style="list-style-type: none"> • Update on Minuteman • Update on Community Mitigation Agreement
• 12.	• 8:15 to 8:30 p.m.	<ul style="list-style-type: none"> • Board of Selectmen Business/New Business • Recommendation of the Cultural Council to appoint Teresa Sauer, Nan Schmitzler, James Atherton, Bharti Bhakta, Alison Morgan, Julia Szeszul and Marie Murungu • Recommendation of the Economic Development Committee to appoint David Pettit, term expiration June 30, 2016 <p>Discuss the process for appointment of School Committee Representative due to resignation of Reta Rupieh Review and execute the Municipal Agreement for the shared services for the Affordable Housing Review and ratification of the</p>

		<p>Memorandum of Agreement between the Police Union and the Town of Bolton</p> <ul style="list-style-type: none"> Review minutes
<ul style="list-style-type: none"> 13. 	<ul style="list-style-type: none"> 8:15 p.m. 	<ul style="list-style-type: none"> Executive Session – Pursuant to MGL, c. 30A, 21A(3) to discuss collective bargaining because an open meeting may have a detrimental effect on the bargaining position of the public body

Bolton Town Hall, 663 Main St., Bolton, MA 01740 Ph: (978) 779-2297 Fax: (978) 779-5461
 Hours: M, W, Th - 9:00am to 2:30pm, Tu - 9:00am to 4:00pm, Closed Fri-Sun

[Website Disclaimer](#)

[Virtual Towns & Schools Website](#)

**TOWN OF CONCORD
BOARD OF SELECTMEN
AGENDA**

March 19, 2012

6PM – Selectmen's Room – Town House	
1.	Call to Order
2.	Consent Agenda: <ul style="list-style-type: none"> • Town Accountant's Warrants • One Day Special License: Wine Beverages License for Concord Chamber of Commerce West Concord Give Back Day on March 24 at 50 Beharrell St. from 5PM – 6:30PM
3.	Town Manager's Report
4.	Finalize Special Town Meeting Warrant
5.	Town Meeting Positions
6.	Citizen Comments
7.	Committee Liaison Reports
8.	Miscellaneous/ Correspondence
9.	Committee Nominations:
10.	Committee Appointments: Virginia McIntyre of 26 Simon Willard Rd. to the Historic Districts Commission as the Full Planning Board member for a term to expire January 1, 2017; Charles Morrison of 88 Mildred Circle to Trustees of Town Donations for a term to expire May 31, 2015.
11.	Adjourn to Enterprise Funds Budget Hearing at 7PM

PENDING

Tuesday	March 20	6PM	Selectmen if snow	Town House
Tuesday	March 20	7PM	Enterprise Budget if snow	Town House
Monday	March 26	7PM	Board of Selectmen Meeting	Town House
Monday	April 2	7pm	Joint BOS FinCom Hearing on Special Town Meeting	Town House
Monday	April 9	7PM	Board of Selectmen Meeting	Town House
Monday	April 16	All Day	Patriots Day Observed	Town Offices Closed
Thursday	April 19	All Day	Patriots Day	
Monday	April 23, 24, 25, 26; May 1	6:30PM 7PM	Board of Selectmen Meeting Town Meeting	CCHS Auditorium
Monday	April 30	7PM	Board of Selectmen Meeting	Town House
Monday	May 14	7PM	Board of Selectmen Meeting	Town House
Monday	May 28	All Day	Memorial Day	Town Offices Closed



HOME TOWN COMMUNITY BUSINESSES SCHOOLS PUBLIC SAFETY

Input your search...

Search

You are here: Public Display Meeting

Login

Quick Links

- Public Meeting Calendar
- Parks Calendar
- Pay Bills Online
- Vital Record Request
- Groton GIS Maps
- Groton Assessors' Data
- Town Bylaws
- Election & Voter Info
- Employment Opportunities
- Suggestions

Public Display Meeting



Town of Groton

Town of Groton Meeting Notice

Town Clerk 173 Main Street Groton, MA 01450 (978) 448-1100

Board of Selectmen Meeting
Monday, November 4, 2013 - 7:00 PM
Town Hall: First Floor Meeting Room
Posted: Wednesday, October 30, 2013 - 10:43 AM

Agenda

BOARD OF SELECTMEN MEETING
 MONDAY, NOVEMBER 4, 2013
 AGENDA
 SELECTMEN'S MEETING ROOM
 1ST FLOOR
 GROTON TOWN HALL

7:00 P.M. Announcements and Review Agenda for the Public

I. 7:05 P.M. Town Manager's Report

1. Selectmen's Agenda Schedule
2. Ratify the Town Manager's Appointment of Takashi Tada as Conservation Administrator - Vote May Be Taken
3. Review Fiscal Year 2015 Budget Preparation Instructions
4. Review and Adopt Personnel Policies for By-Law Employees Concerning Leave - Votes May Be Taken
5. Squannacook Hall - Discussion of Next Steps - Vote May Be Taken

II. 7:15 P.M. James Luening - Discussion - Baddacook Pond Weed Issue - Vote May Be Taken

OTHER BUSINESS
 Discussion - Rocky Hill Conservation Area Fire - Mass Audubon - Impact on the Town of Groton

SELECTMEN LIAISON REPORTS

III. Minutes: Regularly Scheduled Meeting of September 30, 2013
 Executive Session Minutes of September 30, 2013
 Regularly Scheduled Meeting of October 7, 2013

ADJOURNMENT

The following was added Thursday, October 31, 2013 8:55 AM

BOARD OF SELECTMEN MEETING
 MONDAY, NOVEMBER 4, 2013
 AGENDA
 SELECTMEN'S MEETING ROOM
 1ST FLOOR
 GROTON TOWN HALL

7:00 P.M. Announcements and Review Agenda for the Public

I. 7:05 P.M. Town Manager's Report

1. Selectmen's Agenda Schedule
2. Ratify the Town Manager's Appointment of Takashi Tada as Conservation Administrator - Vote May Be Taken
3. Review Fiscal Year 2015 Budget Preparation Instructions
4. Review and Adopt Personnel Policies for By-Law Employees Concerning Leave - Votes May Be Taken
5. Squannacook Hall - Discussion of Next Steps - Vote May Be Taken
6. Address Request from Groton Dunstable Regional School Committee to Assign an Individual to Serve on Superintendent Screening Committee - Vote May Be Taken

II. 7:15 P.M. Discussion - Rocky Hill Conservation Area Fire - Mass Audubon - Impact on the Town of Groton

OTHER BUSINESS

SELECTMEN LIAISON REPORTS

III. Minutes: Regularly Scheduled Meeting of September 30, 2013
 Executive Session Minutes of September 30, 2013

BOARD OF SELECTMEN MEETING
MONDAY, OCTOBER 21, 2013
TOWN OFFICES (ROOM 103)
37 SHATTUCK ST. LITTLETON, MA 01460

PROPOSED AGENDA

- 6:30 PM 1. Executive Session – Strategy with Respect to Litigation
- 7:00 PM 2. Organization / Pledge of Allegiance / Read Mail
- 7:10 PM 3. Input / Updates
A. Public Input
B. Members' Updates
- 7:15 PM 4. Requests
A. Highway: Plowing/Sanding Private Ways – Approval of Annual List
B. Conservation Commission Appointment
C. Right of First Refusal Oak Hill Trust /Sanderson Lots 3A, 4A [MGL C.61A]
- 7:30 PM 5. November 4, 2013 Special Town Meeting Preparations
- 8:00 PM 6. Fire Chief – Fire Station Update
- 8:15 PM 7. Town Administrator / Ass't TA for Finance & Budget
A. Adopt Financial Policy Amendments
B. Staffing Vacancy Review, Promotion: Police Sergeant
C. Labor Counsel
- 8:45 PM 8. Board of Selectmen
A. Review of Selectmen's Regulations and Policies
- 9:10 PM 9. Other Business
A. Consent Agenda:
B. Minutes Approval

MEETING ADJOURN

TOWN OF LITTLETON
RECEIVED
OCT 21 2013
3rd Revision



BOARD OF SELECTMEN

AGENDA

Tuesday, November 5, 2013

7:00pm

Town Hall Meeting Room

Marie Sobalvarro (Chair), Lucy B. Wallace, Ronald V. Ricci, Stuart Sklar, Leo F. Blair

- 1) Call Meeting to Order – Marie Sobalvarro*
- 2) Approve minutes of October 1, 2013 and October 15, 2013*
- 3) Public Hearing - Petition for Gas Main – Old Littleton Road/National Grid (7:00 PM)*
- 4) Public Hearing -Entertainment License for Chapman/Ruze 42 Willow Road (7:15 PM)*
- 5) Chelmsford Housing Authority – presentation regarding Great Elms Project (7:30 PM)*
- 6) Introduction of Town Planner (7:55 PM)*
- 7) Public Communication (8:00 PM)*
- 8) JBOS review for multi Board Meeting on November 14, 2013 (8:05 PM)*
- 9) Town Administrator Report – miscellaneous issues and discussion (8:15)*
- 10) Action/Discussion Items:*
 - a) Conservation Restriction / Reimar Hoch*
 - b) Discuss and appoint members to Viewshed Committee*
 - c) Review and accept resignations from Veteran's Services Agent and Affordable Housing*
- 11) Town Hall Project*

NEXT SCHEDULED MEETING

November 12, 2013

Town Hall Meeting Room

7:00PM

BOS OPEN DISCUSSION

- Town Counsel RFP (Selectman Hillman)
- Remote Participation at Meetings (Selectman Luca) (See attached)

ADJOURNMENT

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

DATE: September 26, 2013

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

FROM: Robert A. Pontbriand, Town Administrator

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

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

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

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

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

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

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

[PROPOSED DRAFT POLICY]

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

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

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

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

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

The mandatory procedures for remote participation are as follows:

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

[PROPOSED DRAFT POLICY]

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

Violations:

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

Revocation of Policy:

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

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

Attachment: 940 CMR 29.10

Cc: Attorney General of the Commonwealth of Massachusetts
Town Counsel

