

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

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

Chairman Luca requested if there were amendments to the Agenda.

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

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

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

Announcements-Chairman Luca made the following announcements

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

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

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

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

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

2. Town Engineer position- Mr. Wetzel reviewed his memo of 2-25-14 with the Board re his request to fill this position in the Fy-15 Budget. Supt. Wetzel reviewed the need for the position with the increase in responsibilities and new regulations/requirements i.e. stormwater, discharge, new management and operations related programs, maintenance, GIS mapping, water/sewer, on-line permitting/payments etc... Supt. Wetzel reviewed his current work load and projects completed since his employment. Cost-savings to be realized by the Town would include relying less on Engineering Consultants, improving on DPW planning and operations to improve service and efficiency. Closing with the Engineers position will result in better execution of capital projects improved systems and programs to better serve the town from in-house engineering. Chairman Luca requesting if this position would be administrative and Supt. Wetzel responded no, only operational. Ms. Conley expressed her concern re preliminary budget comparative analysis will look at final numbers later but advised Supt. Wetzel to residents complaining about the hiring of additional personnel. Mr. Pontbriand stating tonight's meeting was to begin discussions re specifics and savings/analysis of need, and not a decision to be made tonight. Rick Skoczylas resident requested if this would be a question voters could vote on at Town Meeting i.e. when voters reduced Board of selectmen from 5 to 3. Mr. Pontbriand advised to this being a line item in the Omnibus Budget and voters would know the details.

Water Main Replacement/Water Main Improvements Update-Supt. Wetzel updated the Board to his budgeting in Fy-15 \$250K towards infrastructure/replacement of the old water pipes approved by the Capital Planning Com. Funding saved in house re design/construction-approximate savings estimated at \$30K to be put towards project. Supt Wetzel stating

first area in Town to have water pipes replaced will begin on Pleasant St., Howard, Taft and Nashua Streets. Criteria of selection based upon worst pipes in Town i.e. old cast iron/undersized pipes, hoping every year or two to do a street or two. Groton School Road done last year. Supt. Wetzel stating he is also looking at sewer and applying for grant Water Main/Sewer Construction \$500K -Planning Study towards this update. Supt. Wetzel advising to the next water pipe replacement project will include East Main, continuing with Wright Rd. and Shirley Streets who also have pressure problems. Stratton Hill Development also needs infrastructure improvements expressing Planning concerns.

Traffic Study Update- Mr. Hillman stated he brought this issue up again having received another letter from a resident which he distributed to the Board re excessive truck traffic along Sandy Pond Road. Mr. Hillman stated of a bigger concern is the volume of trucks coming up Sandy Pond Rd to Central Avenue.

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

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

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

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

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

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

4. Town Life Insurance Contract and Contribution Recommendation- Mr. Pontbriand recommended the Board vote to keep the 75 (Town)-25 (employee) percentage split and 50 (Town) - 50(Retiree) percentage status quo, most harmonious approach for a two year guaranteed annual premium of \$21K.

Mr. Hillman moved to approve the 75-25% Town& employee percentage split and 50-50 Town/Retiree percentage split as recommended by the Town Administrator, 2nd by Ms. Conley requested copy of actual quote, VOTE: unanimous, moved.

5. Reserve Fund Transfer (RFT)-The Board approved a RFT for Account #01122-51110 Board of Selectmen Secretary Wages -unused vacation time paid upon retirement for retiring secretary Janet Lewis in the amount of \$8,140.00. Ms. Conley moved the Board vote to approve the RFT in the amount of \$8,140.00 to be transferred to this year's line item 01122-51110, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Mr. Pontbriand reviewed with the Board his revised

budget proposal depicting a \$7724.00 reduction with room to negotiate re qualifications (DOQ) reduction in this line item based upon current Town Salary Compensation Plan for Grade 8 Step 1-2 for this position.

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

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

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

7. Draft 5-12-14 ATM Warrant- Mr. Pontbriand presented the 1st DRAFT of the 5-12-14 ATM Warrant to the Board for their review and advised the Board to the ASRHS unavailable for this year's ATM due to construction and looking into proper location with Town Moderator, advising to the Great Hall only able to hold 220 people and most recent Town Meeting having 320 in attendance. Mr. Pontbriand advising to deadline for Citizen's petitions being Friday, April 11, 2014 @ 5:00p.m. Ms. Conley questioning why Storm Water funding not being included on warrant and advised to it being moved to Article #13.

Cindy Knox, IT Director presented to the Board four (4) designs for the Fy-13 Town Report Cover on the Board's monodpad depicting 2 pictures of Grove Pond, new Street light with Flag displayed on it, and Town Hall with new monument sign. Ms. Conley suggested running them on Town Website and letting the residents decide which one they want on the cover. Mr. Pontbriand advising to number of Town Report books reduced down to 400, due to residents having ability to review electronically. Mr. Pontbriand requesting the Board considers who they wish to dedicate the 2013 Town Report to for their next meeting.

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

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

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

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

Selectmen's Questions/New Business-

JBOS- Chairman Luca advising to nothing new to report on

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

flows. Mr. Pontbriand requested when will the Town get these numbers and make progress to give relief to the taxpayers.

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

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

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

Approved by the BOS on: July 15, 2014

Selectman Gary J. Luca: 